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A STUDY OF THE RELATIONSHIP BETWEEN CONDITIONS OF
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David Walter Roush

has been accepted towards fulfillment
of the requirements for

Ph.D. degree in Criminal Justice

John H McNamara
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EXPLORING INSTITUTIONAL QUALITY OF LIFE:

A STUDY OF THE RELATIONSHIP BETWEEN CONDITIONS OF CONFINEMENT AND RESIDENTS PERCEPTIONS OF WELL-BEING

VOLUME 1

By

David Walter Roush

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ABSTRACT

EXPLORING INSTITUTIONAL QUALITY OF LIFE:
A STUDY OF THE RELATIONSHIP BETWEEN CONDITIONS OF CONFINEMENT
AND RESIDENTS PERCEPTIONS OF WELL-BEING

By

David Walter Roush

Fear of litigation is a dominant influence on contemporary corrections. Supreme Court decisions combine with the bureaucratic orthodoxy of the American Correctional Association (ACA) standards to give administrators the best strategy to avoid litigation. At the center of Rhodes v. Chapman (1981) is an assumed and untested causal relationship between conditions of confinement and inmate well-being. This is an initial inquiry into the presumed causal inference, and historical perspectives of court decisions and standards development are reviewed.

A causal-comparative design incorporates a multiple measurement of the dependent variable, inmate well-being. The independent variables for conditions of confinement are the same in both models; percent compliance with ACA standards, social density, staffing ratio, institutional capacity and staff attitudes towards youth. The dependent variable in model 1, aggregated residents' perceptions of social climate, is measured by the Correctional Institutions Environment Scales plus a new contextual scale. Model 2 uses an intensive group interview where aggregated responses are enumerated through the Child Well-Being Scales.

Data collection occurred at 10 Midwestern juvenile detention centers and included a standards compliance assessment, facility tour and staff interviews. Ten direct care staff at each center completed the Attitudes Toward Prisoners (ATP) questionnaire, modified for use with juveniles. The social climate scales were administered to 121 detainees between 14-17 years old who had been detained more than four days. From this group, eight from each center participated in the intensive interviews.

Correlational and regression analyses reveal weak relationships between the variables, many in the opposite direction predicted. Negative relations were noted between standards compliance and both measures of well-being. Density was significantly greater in accredited centers and may have counteracted the positive effects linked to standards compliance. Instances are described that confuse temporal ordering of the variables. Results do not support a causal relationship.

Findings call for a rethinking of the conventional correctional wisdom as applied to juveniles. Crowding and leadership are identified as critical variables for future research. Discussions analyze the role of bureaucratic orthodoxy and standards in the development of juvenile correctional organizations.

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> Even youths shall faint and be weary, and young men shall fall exhausted; but they who wait for the Lord

shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint.

Isaiah 40:30-31

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CHAPTER 1

Introduction

My memories of the encounter are vivid, and I doubt that I will ever forget the experience as long as I remain in juvenile detention administration. After being named in a lawsuit requesting $250,000 in punitive damages from me and the county commissioners for alleged cruel and unusual punishment, i.e., violation of a juvenile's Eighth Amendment rights, I met with the presiding juvenile court judge and the assistant prosecuting attorney to prepare a response. A response was actually the farthest thing from my mind. Could I be held personally responsible for any or all of the quarter-of-a-million dollars named as damages? "Of course." Not only did they respond in unison, but their tone was so matter-of-fact that chills ran up and down my spine.

Both of these knowledgeable attorneys could see that I was so visibly upset that their plans to elicit pertinent information from me was put on hold until I could regain composure. In situations like these, you sometimes offer irrelevant information. For example, I am certain that I informed them that I did not have a quarter-of-a-million dollars nor did I know where to get it! Furthermore, since I had done nothing wrong, how could I be liable? It was at this point that I received my first lessons about the American legal system. In time, I settled down enough to begin to ask some rational questions.

My experiences that day shaped my approach to

correctional management. I learned that there were numerous problems and situations which could be construed as a violation of Eighth Amendment rights. Since I am not an attorney, all I really wanted to understand were the guidelines which would keep me safe from litigation. When I asked specific questions, I got vague, abstract and general answers. I also learned that my immunity to prosecution was being eroded by the courts. No one could give me a definitive answer to my questions. What constitutes a conditions of confinement violation of Eighth Amendment rights? More specifically, what exactly are the rules of the game for correctional administrators to avoid litigation?

These are common questions among correctional administrators. Since there are no pre-employment training or education programs which address the issue of liability, administrators find themselves unable to solve the daily problems of correctional practice in a manner which consistently insulates them from liability. Furthermore, post-employment training programs rarely focus on correctional liability. Instead of providing clearly defined limits on correctional practice, attorneys and other correctional law experts advise correctional administrators to do the "right" thing. This provides little consolation to administrators who are emeshed in a complex and volatile situation with few clearly defined issues, most of which are directly under the control of correctional officers who have a poorer understanding of legal issues than does the

administrator. It is, in simplest terms, the worst of all possible options. To underestimate the gravity of this problem for correctional administrators is to miss entirely the most influential factor in contemporary correctional management.

If clear and precise guidelines are ever to be developed for correctional administrators to help them avoid liability, the substance of such guides will come from the Supreme Court. Over the past two decades, the court's position on its involvement in prisoners' rights litigation has changed (Archambeault & Archambeault, 1982). As the courts became more involved in these suits, the liability of correctional staff also increased. Recent decisions, however, imply that the court is backing away from involvement in prisoners' rights litigation and deferring the definition of acceptable correctional practice to the professional correctional community. This position was first explicated in the early 1970s and provided the formal impetus to the American Correctional Association (ACA) to secure proper funding from the U.S. Department of Justice to complete the development and validation of correctional standards. Since then, case law and professional standards have been the two central components in the understanding of correctional liability.

The court functions from a limited and sometimes obscure perspective. For example, the court only discusses general concepts or tests which are applied to questions of

unconstitutionality. It does not say what is constitutional, nor does it imply that conditions which are not unconstitutional will always be constitutional. Reliance on case law and consent decrees has not provided the consistency in judicial decision-making that correctional administrators expect.

The failure of the courts to provide clear guidelines for correctional administrators has helped to create a pervasive fear of litigation. Brodsky (1988) describes this fear as capable of becoming an obsession which can paralyze administrative decision-making and can render an organization ineffective. This debilitating effect actually increases the probability that the institution will be named in a suit. With the current concerns about crowding, medical and health care services, AIDS, and institutional violence, conditions of confinement are the central questions surrounding Eighth Amendment litigation.

Much to my satisfaction, the suit against me was dropped before it ever went to trial. Further analyses of the circumstances revealed that I had done some things "right." However, the trauma associated with such a personal ordeal was significant, and I had not even been forced to testify nor make my case before a jury. There had been no media scrutiny of my programs and staff, no newspaper coverage, no lengthy diversions from the job to talk to attorneys; and, yet, it had been totally disrupting. Through this significant emotional experience, I became

convinced that to understand my own liability, I had to understand the relationship between court decisions and professional standards.

Forces Influencing Corrections

Juvenile corrections has been described as a cyclical process. Breed and Krisberg (1986) explain this cycle as moving from child abuse and scandals to public exposure and reform. Changes induced by reforms create a more positive effect; however, most of these changes are only temporary. Over time, the positive effects deteriorate, and abuses and scandals reappear. Thus, the cycle repeats itself. To stop this negative repetition, Breed and Krisberg identify two critical factors as federal court intervention and the adoption of professional correctional standards.

Kehoe (1981) discusses a similar process. The complexity of juvenile corrections leads to questions surrounding proper or adequate practice. When these practices routinely rely upon punitive measures, the tendency in unfettered program evolution is to become even more punitive (Coylar, 1983). Complexity and its organizational concomitant, uncertainty (Knott & Miller, 1987), combine with increasing punitiveness to raise these questions of proper practice to a level of possible abuse of constitutional rights. If not resolved through settlement or a movement to more appropriate correctional practice, the federal courts become involved in arbitrating these disputes and in approving or creating solutions. While the findings of the court have

significant effect in changing correctional practice, Kehoe notes that the inherent complexity of juvenile corrections dwarfs the scope of those solutions prescribed by the courts. Therefore, uncertainty remains which serves as the basis for future inadequate practices. Again, the process repeats itself.

The issue for corrections is not how to stop this cyclical process. Correctional practice as correctional and social theory is basically unstable and iterative. Thus, change is inherent within corrections, and issues and problems tend to surface in a cyclical fashion. The problem that Kehoe and Breed and Krisberg address is the manner in which this unstable and sometimes repetitive process entraps corrections. How can corrections break out of a negative cycle of repetitive problems due to its inability to solve these problems? In other words, how can the correctional system use this cyclical characteristic to move from conflict and atrophy to growth and development? Two solutions are identified, court intervention and professional correctional standards.

Brodsky's Internal and External Factors

Brodsky (1982) identifies internal versus external forces as change agents for correctional practice. Internal factors include enlightened administration which works to create an environment which is just, humane, and safe. Internal change has the advantage of a greater understanding of both the particular problems and solutions. However,

internal change processes are traditionally very slow and very susceptible to social, political, and economic obstacles. External factors are represented by the courts. Correctional change prompted by the courts is usually more immediate and significantly less sensitive to political and economic obstacles. The greatest liability of court-ordered change is the loss of control experienced by correctional practitioners. Using Brodsky's categories, court decisions regarding conditions of confinement and Eighth Amendment challenges represent an external force on corrections, and standards and accreditation constitute an internal force for correctional change.

Potential for conflict. Brodsky's categories of internal and external forces mirror the conflict between the courts and the professional correctional community. A symbiotic relationship is also linked to this conflict. While the courts and the standards have demonstrated the ability to work in tandem to upgrade conditions of confinement ("Federal Judge," 1987), differences in opinion are far more prevalent than one might expect. In fact, most practitioners view the courts as a foe since court intervention involves litigation and increases the risk of personal liability. The adversarial nature of the courts (Morse, 1980) creates an antagonism with practitioners, who view disgruntled inmates and attorneys as cohorts in a litigious populism (Newland, 1976:535). Because correctional practitioners can be held personally liable for alleged

injustices, particularly those relating to conditions of confinement, the importance of this interaction cannot be minimized. Even though it may be correct to find entire correctional systems and/or specific individuals liable for punitive damages, it is often a hollow victory when one stops to consider fully the adverse effects of inadequate standards for salaries, education, and training provided to those who are immersed in a situation which the Supreme Court has called "complex and intractable," Procunier v. Martinez, 416 U.S. 396, 404 (1974).

The study of the relationship between the courts and standards must be cautious of the potential of falling into this type of conflict. The intent of Brodsky, Kehoe, and Breed and Krisberg is to enhance the symbiotic relationship between these internal and external forces of correctional change. Two distinct perspectives will extend throughout the study of these factors.

Dialectical analysis. The presumption of a symbiotic relationship between the courts and professional standards supports the argument that this symbiosis constitutes a form of social organization (Benson, 1982; Berger & Luckmann, 1966). A dialectical analysis is concerned with the emergence of new and incompatible components within this social formation. From these new components, the court may develop new guidelines for judging conditions of confinement as unconstitutional or the professional correctional community may redefine acceptable correctional practice. A

dialectical flavor to this research stresses the importance of locating, clarifying and expanding the contradictions found in the symbiotic relationship between the courts and professional standards. Equally important is the intent to resolve these inconsistencies through syntheses or new social practices (Cherryholmes, 1988).

Interpretive analysis. Two components of an interpretive analysis run throughout this study. First, interpretation stresses the appropriateness of an understanding of events by the subjects involved (Schutz, 1963). A subjective or actor-defined perspective is consistent with recent Supreme Court rulings which imply that distortions may occur when observers impose their own standards and biases on the assessment of correctional settings. Second, to avoid or temper the biases expressed by those investigated, an interpretive analysis searches for meaning in a historical context. Meaning is found, in part, in "technical processes, in institutions, in patterns for general behavior, in forms of transmission and diffusion, and in pedagogical forms which, at once, impose and maintain them" (Foucault, 1980:200). Simply stated, the meaning of conditions of confinement is subjectively and historically situated.

Rhodes v. Chapman

In the landmark decision Rhodes v. Chapman, 452 U.S. 337 (1981), the U.S. Supreme Court established new guidelines regarding the rights of prisoners to challenge the

cruel and unusual punishment clause of the Eighth Amendment of the U.S. Constitution. The focal point of the Rhodes decision is the question of how to judge the unconstitutionality of conditions of confinement. Even though the decision has been hailed as an answer to the questions posed by correctional administrators, a closer analysis reveals interesting contradictions which raise significant questions. While Rhodes provides new and clear tests for interpreting the unconstitutionality of conditions of confinement, these tests are controversial.

New Levels of Analysis

By reaffirming two existing tests for judging conditions of confinement, Rhodes underscores an interesting shift in the levels of analysis used to evaluate evidence. First, Rhodes elevates and affirms the "totality of circumstances" test as the dominant criterion for evaluating conditions of confinement. The totality of circumstances concept means that a single incident or behavior may not necessarily violate a prisoner's rights; however, the combination of a multitude of effects over time may have a cumulative impact; and this impact may constitute conditions of confinement which are unconstitutional. The totality of circumstances doctrine shifts the analysis of evidence from the specific to the general level.

Second, the Rhodes decision links the totality of circumstances test to the examination of the "actual effects" on the imprisoned. This actual effects doctrine

requires that prisoners be able to substantiate an actual harm inflicted upon them by the conditions of confinement. Additionally, this doctrine is quite interesting since it instructs the court to use aggregated subjective data to inform its interpretations of conditions of confinement.

The totality of circumstances test is also controversial. The controversy does not derive from the previously mentioned shift in levels of analysis since this shift to the cumulative impact of conditions of confinement was first set forth in Holt v. Sarver, 309 F. Supp. 362 (E.D. Ark. 1970). Furthermore, the test has not been difficult to interpret as evidenced by Ingraham and Wellford (1987) who have defined three basic categories to classify prison conditions as a function of the totality of circumstances concept. The problem arises from the failure of correctional practitioners to link the totality of circumstances test with the actual effects doctrine. Current assessments of conditions of confinement continue to place primary emphasis on data generated and gathered by persons other than those individuals alleging the complaint.

For the correctional community to embrace the actual effects doctrine, significantly greater emphasis must be placed on more qualitative assessments of institutional quality of life. The implications of this shift to interpretive strategies represent a major threat to mainstream correctional thinking. A qualitative assessment of individual or aggregated well-being of the incarcerated could

place correctional practices and individual careers in jeopardy as the result of information provided by known "prevaricators." How can a legal system become so perverted as to take the word of convicted felons and use it against such dedicated public servants as correctional line staff? Questions of this nature express the sentiments of correctional practitioners when faced with the reality that inmate perspectives are used by the court in assessing an actual effects doctrine. How can the courts fail to realize that convicted felons will distort the truth in order to prevail in their claims of cruel and unusual punishment? Even though the extent of these attitudes has yet to be systematically determined, opposition to a qualitative assessment is commonplace correctional rhetoric.

The question of a qualitative analysis forms a dialectic. For example, a contradictory position exists in response to the contention that correctional officers are wronged when inmate perceptions are given credibility. The history of court decisions regarding unconstitutional conditions of confinement dispels most notions that there is some inherent purity of correctional personnel which guarantees that all correctional practices are, at a minimum, safe and humane. In fact, the general history of American corrections characterizes imprisonment as an inhumane process of cruelty towards inmates (Inciardi, 1987). When faced with the possibility of criminal charges and personal liability, an argument can also be constructed that the self-interest

of correctional officers' increases the chance of the officers becoming prevaricators in order to avoid a judgment against them. The dialectic forms between the thesis, which states that imprisoned felons are liars and cannot be trusted, and the antithesis, which states that correctional officers are also liars and not to be trusted. In this case, the dialectic creates an adversarial relationship which requires a third party arbitrator to resolve the conflict.

From the perspective of juvenile corrections, a qualitative approach to program evaluation enjoys greater acceptance. The hallmark of juvenile corrections is the rehabilitative ideal which routinely emphasizes the use of genuine inmate feedback and input to accomplish the goal of changing the offender. Therefore, the dialectic comes to a synthesis or resolution. Juvenile corrections is a better location to study the actual effects doctrine since resident perceptions are commonly accepted as a source of program evaluation (Grant, Knight & Granvold, 1984; Johnson, Rusinko & Girard, 1976, 1980; Magura & Moses, 1984; Moos, 1975; Polsky, 1962; Ray, Huntington, Ellison & Prytula, 1978; Shinn, 1982; Street, Vinter & Perrow, 1966).

Principle of Causality

As a combination of conventional wisdom and empirical research, the court describes a causal relationship between conditions of confinement and the physical, mental and emotional health and well-being of the imprisoned. The

correctional and legal communities have treated this presumed causal relationship as if it were an a priori principle of acceptable correctional practice.

As a test of conditions of confinement, Rhodes sets forth a conditional statement regarding the relationship between conditions of confinement and inmate well-being. When conditions of confinement threaten well-being, these conditions are unconstitutional (Krantz, 1982:49). This statement establishes a simple principle for evaluating conditions of confinement. Carrying the full force and effect of the courts, the principle of causality implies that the implementation of acceptable correctional practice is a measure of acceptable conditions of confinement and, therefore, an indicator of improved or acceptable inmate well-being. For the correctional community, the principle translates thusly: Acceptable correctional practice, as measured by compliance with professional standards, yields an acceptable and improved quality of life for inmates.

The reasoning underlying this presumed relationship is the positivist notion of linear causality which has characterized contemporary corrections and federal court decision-making (Cole, 1986). Although there are plausible challenges to the notion of linear or unidirectional causality (Weick, 1969), the legal and correctional communities have yet to challenge or test either the existence or directionality of the presumed causal link between conditions of confinement and inmate well-being. I find it

troublesome that an alleged relationship of this magnitude should go unquestioned, unchallenged or untested. If this relationship is an accurate description of the reality of corrections, it will not mind nor succumb to a test of its veracity.

The causality principle represents a logical culmination of the interaction between court decisions on conditions of confinement and professional correctional standards. Therefore, a test of the principle represents more than an examination of an alleged causal relationship. Included in the test is a critical review of the wisdom supporting the causal relationship. Furthermore, a test of the relationship becomes a test of the theory on which the relationship is grounded. As such, the inquiry into the relationship must include a solid understanding of the interaction between the courts and acceptable correctional practice.

Causality in Principle and Practice

A fascinating challenge for practitioners is the building of correctional practice from the constitutional principles articulated in court decisions. In this example from Rhodes, a principle of causality between conditions of confinement as the independent variables and an actual effects doctrine as the dependent variable is provided without adequate definition of these constructs. The court has consistently held that this type of specification is not one of its functions. Instead, the court provides general

principles to guide correctional practitioners in the development and implementation of correctional practice. For this reason, a test of the presumed causal relationship requires a translation of this principle into operationally definable terms.

Standards and accreditation. The best definition of conditions of confinement is found in the standards and accreditation literature of the ACA (1983). Even though numerous professional groups responded to the court's request for standards, i.e., ACA, the Institute of Judicial Administration/American Bar Association, the National Advisory Council on Corrections, etc., ACA emerged as the most frequently cited source of standards. With professionally developed standards, the courts moved to a position where compliance with professional standards establishes acceptable correctional practice and reduces liability in conditions of confinement litigation. Therefore, standards have become synonymous with acceptable correctional practice, and documented compliance with standards constitutes a significant, if not insurmountable, obstacle against successful prisoner litigation on Eighth Amendment issues. Even though the Supreme Court seems satisfied with this arrangement, concerns have begun to surface within the correctional community which question the validity of standards compliance as a measure of acceptable practice (Hahn, 1986).

One hallmark of the standards movement has been its

reliance upon case law to guide the development of standards (Sechrest, 1978; Van de Kamp, 1975). Even though professional standards were a concern of the correctional community long before the court's focus on conditions of confinement (Allen & Simonsen, 1981; Cole, 1986), the court's role as the final arbiter for judging the unconstitutionality of correctional practice is best reflected in the latest edition of standards by the ACA (1983). In light of the court's recent attention to prisoners' rights litigation, an increased number of decisions regarding constitutional rights and correctional practice have been rendered. As a result of this activity, the correctional community has entered into a symbiotic relationship with the court, where one principal characteristic of this relationship is the responsibility of correctional practitioners to translate case law on prisoners' rights into policy and procedure.

Conditions of confinement. Conditions of confinement as defined by ACA (Sublett, 1984) contain a parallel emphasis on those issues outlined by the courts as the critical variables for constitutional challenges. These concerns have been expressed independent of the courts through the rhetoric of the standards movement. Precursors to the focus on conditions of confinement include Zebulon Brockway's call in 1870 for adequate living conditions in prison (cited in Sechrest, 1975). The contemporary correctional language translates this concept of adequacy of

living conditions into the provision of just and humane care (Fosen, 1975; Moeller, 1975). Standards development emanated from these principles and covers a wide range of correctional practice (ACA, 1983).

My experience with the ACA standards and my research on the subject lead me to conclude that the standards represent the most comprehensive definition of the categories and constructs which constitute conditions of confinement. The assessment or measurement of conditions of confinement is represented by the standards compliance audit process. Standards compliance is the major component of accreditation. Accreditation provides an objective method by which the level and nature of standards compliance can be evaluated. Therefore, it is the accreditation process which represents the best measure of conditions of confinement.

Quality of life. The correctional community endorses the principle of causality by presuming that an increase in standards compliance will cause inmate evaluations of well-being to reflect a higher level of satisfaction. Assessments of well-being and satisfaction combine with earlier references to a just, humane, and safe environment to create the concept called "quality of life." Thus, the causality principle translates into the following correctional terms: Institutional quality of life as reflected by aggregated perspectives of inmate well-being is a function of the conditions of confinement as measured by the accreditation procedures.

Problems with the Correctional Application

I find the correctional translation of the court's principle of causality to be problematic. There is a general lack of specificity in the definition of quality of life. Despite its common usage within corrections, confusion exists among practitioners about the meaning of quality of life. Variations in meaning seem to follow functional perspectives on the mission and goals of the correctional process. For example, practitioners in adult corrections are more inclined to associate quality of life with conditions of confinement (Sublett, 1984). Those who work with juveniles are more predisposed to equate quality of life with the nature and intensity of the therapeutic milieu (Buckholdt & Gubrium, 1979; Cumming & Cumming, 1962; Mayer, Richman & Balcerzak, 1977; Redl, 1972; Trieschman, 1969; Wolins, 1974) or the therapeutic social climate (Carbone, 1984; Dimidjian, 1983; Hughes, 1971; Mauze, 1986; Moos, 1975; Shinn, 1982). Because there are numerous other variations within differing groups of correctional practitioners, it should come at no surprise that the meaning of quality of life lacks consensus.

Research questions. For the correctional community, acceptable correctional practice includes a reference to quality of life. The correctional translation of the Rhodes causality principle also focuses on a concept synonymous with quality of life. Finally, accreditation decisions are evaluated in light of quality of life assessments. However,

little effort has been made to resolve the variant meanings of quality of life. Without an adequate definition of quality of life, these relationships are meaningless. Therefore, the goals of this dissertation are to answer the following questions: What is quality of life? Does a relationship exist between conditions of confinement and quality of life? And, if a relationship exists, what is the nature and extent of that relationship, i.e., is it a causal relationship? To my knowledge, there is no research neither in progress nor completed which addresses this issue. While ACA has begun several projects on this subject, all have been limited in scope and based on what will be shown to be a faulty hypothesis about quality of life. Finally, computer searches of the sociological, psychological, and correctional literature yield no substantive information about quality in life in correctional facilities.

To answer these questions, it is necessary to start with the subject of conditions of confinement. Within this concept, several key issues regarding quality of life can be clarified. Secondly, a better understanding is needed of the professional standards developed by the American Correctional Association (ACA). The standards movement and conditions of confinement case law serve as the best explanation of the symbiotic relationship between the court and the professional correctional community. Finally, the Rhodes principle of causality needs greater explanation in light of a recent scholarly review of Rhodes which

omitted any reference to these concepts (Ingraham & Wellford, 1987).

Chapter summary. Chapter 2 addresses the history of conditions of confinement litigation through Supreme Court decisions. A review of different ideological periods for the court reveals the development of key tests or decision-making principles which gave rise to the legitimation of professional standards and the alleged principle of causality found in Rhodes. Chapter 3 looks at the development of the standards and accreditation movement in relationship to case law and the definition of acceptable correctional practice. While litigations continue to be a very serious part of correctional administration (Thomas, 1988), the responsiveness of standards development to case law (Sechrest, 1978) has meant that an adverse judgment has yet to be rendered against an accredited institution. This fact stands as evidence of the veracity of the causality principle and as an example of a tautology.

Chapter 4 explores the definition of quality of life and establishes the research constructs. The remainder of the chapter reviews the literature on the relationship between the environment and human behavior. What emerges is a dialectic, where an environmental model predicts that certain stimuli will elicit predictable behaviors versus a cognitive or transactional model that explains behavior as an individual, and somewhat unpredictable, response to the environment. The environmental model enjoys the endorsement

of a preponderance of the research, is empirically based, serves as the basis for the causal assumption in Rhodes, and occupies a superior position to that of the cognitive model. As such, Chapter 4 reveals that the research is as much a test of those models as an inquiry into causality.

Conversational Research

Research which focuses on quality of life, correctional liability, conditions of confinement, and standards and accreditation touches the professional lives of all correctional personnel. Therefore, the potential impact of this study is of tremendous significance to the correctional community, especially if it affirms the assumptions underlying the causality principle and the standards process. Because there is no research which tests these critical assumptions, practitioners are interested in any studies which will support or substantiate the contemporary correctional orthodoxy. Such research would also serve to clarify for practitioners the central issues in liability. The uncertainty in defining the key elements which insulate practitioners from liability elevates the questions in this research to a position of highest priority.

Complexity

To say that the questions in this research are complex is an understatement. One proof of the size of the complexity is the avoidance paid by the academic, legal and practitioner communities to this subject (Ingraham & Wellford, 1987). Therefore, it is naive or arrogant to

believe that this project can provide definitive answers or conceptual clarity.

I find Brautigan's (1976) poem to be an adequate description of the task proposed in this dissertation:

> Loading mercury with a pitchfork your truck is almost full. The neighbors take a certain pride in you. They stand around watching. (p. 16)

Wright (1979c) and Toch (1977) remark about the immense complexity of social climate research, and they might agree that it is as easy and as simple as loading mercury with a pitchfork. But, I believe they undertook this very difficult research because it has merit, and it represents an interesting and marvelous challenge to make some sense out of insensibility.

I am particularly taken by Brautigan's reference to neighbors or those who live in the same general place and share my concerns. For the past five years, this topic has been shared with my colleagues and friends in juvenile detention and juvenile corrections. Without exception, they have been interested, open, encouraging and helpful. I have had numerous invitations to use various institutions as a research site. I am convinced that administrators are sincerely interested in this study and my findings. Coincidentally, a request for proposals has been issued by the U.S. Department of Justice, the Office of Juvenile Justice and Delinquency Prevention, to examine quality of life in juvenile institutions. This question is a national priority.

Modest Propositions

The slippery and elusive character of quality of life research serves to keep the research hypotheses quite modest. The dissertation, while a very personal investment of time and energy, is not a life's work; yet, if it asks the proper questions and provides interesting (Davis, 1971) answers, it could form the foundation for a lifetime of specific and focused research. This is my intention. Based on my understanding of the issues involved, I intend to develop an argument which points to the causality principle in Rhodes as the first question to be asked regarding quality of life, the courts, professional standards and the interactive relationship between all three. This is an initial inquiry, a probing of the topic.

I am modestly skeptical about the causality principle. My experience in those settings which should provide the strongest support for a causal relationship has produced considerable doubt. Therefore, the research strategy will include and move beyond the positivist perspectives of correspondence and coherence to incorporate different perspectives on the phenomenon of quality of life. These variant perspectives will search for new patterns or regularities while attempting to keep ideological biases under control (Ihde, 1977). The contemporary crises in social science research have resulted in a call for a new methodology which includes a systematic study of (a) regularities and correlations, (b) interpretations of

historical forms of social and political realities which may reveal hidden causalities, and (c) critical self-reflection and self-reflexivity of human agents (Bernstein, 1978:233; Cherryholmes, 1988; Fay, 1975; Morgan, 1983:372).

Research as Reflective Conversation

I have chosen Morgan's (1983:374) strategy of research through reflective conversation as the general principles to guide this inquiry. I believe that social theory is iterative, historically-situated and dialectical. Subject to the multiple constraints of values and power (Foucault, 1980:131), social science research becomes a discursive practice. Within this context, Morgan's references to conversations and voices conjure images of research as an ideal speech, where the discourses of quality of life are evaluated on the strength of the arguments presented (Bernstein, 1978:212).

The first principle of reflective conversation emphasizes research as a form of social interaction. Research involves a phenomenological perspective which requires the researcher to interact or converse with quality of life. Interaction calls for an actual on-site evaluation of institutional environments and unobtrusive observations of the daily routine. More importantly, conversations imply a direct dialogue with the key actors in the environment, specifically the detained juveniles. After 18 years of experience working with incarcerated youth, I am convinced that conversations with youth where they reflect upon their

satisfaction with different aspects of the institution provide valuable information about institutional quality of life.

The second principle includes different voices in the research conversation. These voices are the empirical voice, the interpretive voice and the critical (dialectical) voice. There is little argument that the dominant voice is the empirical, and its discursive practices include a review of the positivist ideology in case law, administrative orthodoxy, professional standards, and the research method. The empirical voice holds a superior position on the conversational hierarchy. The interpretive voice provides the depth and texture to the research conversation. Meaning is enhanced by the interpretive voice, but contradictions are sometimes discovered. In this fashion, the interpretive voice provides the fuel for the fire in the critical voice. Concerned with contradictions, irregularities and incoherencies, the critical voice attempts to invert hierarchies and to collapse assumptions which support meanings. Conversely, a healthy critical voice describes new hierarchies and regularities and moves toward a synthesis of conflicting assumptions.

Finally, the rules of discourse for each voice will include (a) discovery through controlled inference, (b) stable propositions which are capable of verification through observation, and (c) explicit descriptions of specific relationships which include an extensive class of

objectifiable patterns or regularities which can be explained or predicted (Bernstein, 1978:137). Using these rules for the conversations regarding independent and dependent variables, research hypotheses, and data collection methods, an argument should emerge with a predominant voice answering the initial questions raised by the Rhodes causality principle.

This could ultimately become the first word in a lengthy discourse.

CHAPTER 2

The External Factor: The Courts

History of Conditions of Confinement

Representing a global assessment of the state of or manner of confinement, the concept of conditions of confinement has evolved to its current level of importance as a result of changing Supreme Court decisions on prisoners' rights litigation (Krantz, 1983). Definitions of conditions of confinement vary greatly. Inciardi (1987) uses the term "conditions of incarceration" to incorporate prior definitional themes stressing the importance of the physical environment (Brockway, 1969; Smith & Jaworski, 1984; Spivack, 1984), socialization (Clemmer, 1940) and basic human rights (Toch, 1977). Other references to conditions of confinement (Bartollas, 1985; Bartollas & Miller, 1978; Brown, 1983; Bukstel & Killmann, 1980; Evangelakis, 1974; Hughes, 1971; Goffman, 1961; Krantz, 1983; Lucart, 1983; McCain & McNally, 1981; Wright, 1979c) have placed varying emphasis on sanitation, noise levels, safety and security, food services, recreation, rehabilitative programming, and medical and health care services. The literature specializing in conditions of confinement within juvenile corrections (Agee, 1979; Brendtro & Ness, 1983; Caditz, 1959; Carbone, 1984; Cosgrove, 1985; Edwards, 1975; Kehoe, Evans, Williams, Stevens & Piestrak, 1986; Kihm, 1981; Leschied, Jaffe & Stone, 1985; Moos, 1975; Polsky, 1962; Ray, Wandersman, Ellisor & Huntington, 1982; Roush, 1984;

Shinn, 1982; Shireman, 1960; Trieschman, 1969; Vorrath & Brendtro, 1974; Whittaker, 1978; Wolins, 1974) places greater emphasis on the social climate, program quality, and staff development. Within these broad definitional limits, a wide range of conditions of confinement has been the target of constitutional challenges. From this litigation, the court has determined that deplorable conditions of confinement form the basis for challenging the cruel and unusual punishment clause of the Eighth Amendment.

While the number of conditions of confinement litigations per 100 inmates has decreased in recent years (Thomas, 1988), Gottfredson and McConville (1987) and Hammett (1987) note that the current crises in corrections are crowding and AIDS. Overpopulation of correctional institutions has been linked to violence (Ellis, 1984) which can lead to an Eighth Amendment challenge. Legal and management issues surrounding medical care and isolation of inmates with AIDS have spawned a new class of conditions of confinement litigation. Thus, overcrowding and AIDS serve to keep conditions of confinement in the forefront of correctional concerns.

Correctional brutality. The history of corrections is replete with accounts of violence and brutality (Allen & Simonsen, 1981; Foucault, 1977). The extent of harsh punishments for even less serious crimes prompted Inciardi (1987:506) to characterize the history as "man's inhumanity to man." Corporal punishment was common and included mutilation, branding, whipping and torture. While

corrections demonstrated many changes in its first two centuries, prisoners were generally treated very poorly. Inciardi describes the state of corrections as follows:

> The conditions of incarceration and every aspect of institutional life were left to the unregulated discretion of prison administration. Since prisoners were "slaves" of the state, privileges were matters of custodial benevolence, which wardens and turnkeys could "giveth or taketh away" at any time and without explanation. (p. 586)

Much of the support for both unregulated discretion and the prisoner's status as slave came from Ruffin v. Commonwealth of Virginia, 62 Va. (21 Gratt.) 790 (1871). Without the protection of personal rights, prisoners were subject to the discretionary powers of prison officials. In many instances, this discretion fostered untold abuses.

The 1960s marked a change in corrections. Several factors played a critical role in this process. Changing legal perspectives combined with the due process model of the Warren Court (Cole, 1986:94) to expand the protection of individual rights, including those rights of prisoners. Next, the civil rights movement heighten tensions surrounding issues of equality. While minorities became more militant, even more violent (Ranney, 1971), the spirit of revolution entered the prisons through the media. Corrections offered fertile soil for the seeds of disruption. Human dignity was never an abundant commodity in prison (Gettinger, 1977); and when one has nothing, one has nothing to lose. Therefore, violence in prison became less

costly to those who were incarcerated, and it gained more acceptance among those who believed themselves to be part of the oppressed. Finally, there was a shift in the "evolving sense of decency which marks the progress of a maturing society," Trop v. Dulles, 356 U.S. 86 (1958), as criminologists emphasized humane and rehabilitative correctional environments (Brockway, 1969; Cavan, 1969; Cohen, 1946; Holmes, 1968; Hughes, 1971; Kenny & Pursuit, 1954; Lenz, 1942; National Conference on Prevention and Control of Juvenile Delinquency, 1947; Norman, 1961; President's Commission, 1967b; Tappan, 1951; Teeters & Reinemann, 1950).

The Onset of Prisoners' Rights

Prior to the 1960s, the courts refused to consider correctional complaints regarding prison environments, administrative abuses, constitutional rights violations, and conditions of confinement (Inciardi, 1987:586). This philosophy became known as the "hands-off" doctrine which meant that the control of correctional practice should be left to the wisdom and expertise of correctional officials. Hands-off is best characterized by the practice of judicial restraint or judicial deference. The transition from hands-off to a position that embraced prisoners' rights was foreshadowed by several landmark decisions.

The great writ. Lund (1987) defines a landmark decision as one which sets a new standard or direction for Supreme Court analysis in a particular field of law. The first landmark decision was Coffin v. Reichard, 143 F.2d 443

(6th Cir. 1944) in which the U.S. Court of Appeals held that prisoners retain those rights which are not expressedly or by necessity taken from them by law. By affirming those rights which were not forbidden by law, the court began to reverse the thinking which supported the hands-off doctrine. After the Coffin decision, the most significant finding was the entitlement of prisoners to the writ of habeas corpus to challenge conditions of confinement. Since the full use of the great writ is predicated on the exhaustion of both state judicial and administrative remedies, these prerequisites effectively barred prisoners from a direct challenge at the federal court level. Even though this reasoning was sustained for many years, the thinking regarding the rights of prisoners had taken a dramatic turn. A forum for expression became available which opened corrections to review by the state judiciary.

Section 1983. The second landmark decision was Monroe v. Pape, 365 U.S. 167 (1961), where the Supreme Court granted prisoners access to federal courts through Section 1983 of the Civil Rights Act of 1871 (Note 1) without requiring them to exhaust first all state judicial remedies. In addition, Section 1983 permits the awarding of monetary damages. From the perspective of correctional practitioners, the rules of the game had begun to shift in an unfavorable direction. The implications of Monroe were that a direct access existed to prisoners to test their constitutional rights and to challenge conditions of confinement

(affirmed by the court in Preiser v. Rodriguez, 411 U.S. 475, 1973). Furthermore, personal liability became a very real threat.

The Hands Doctrines

Archambeault and Archambeault (1982) describe the stages of correctional law during this period. This stage marks the beginning of the "hands-on" doctrine. The Archambeaults refer to this period as the "involved-hands" phase which extended from 1966 to 1976. During this time, the courts became extensively involved in decisions effecting prisoners' rights. Three factors are identified which characterize the involved-hands phase. First, the prisoner was no longer viewed as a slave of the state. In Wolff v. McDonnell, 418 U.S. 539 (1974), the Supreme Court stated:

> But though his rights may be diminished by the needs and exigencies of the institutional environment, a prisoner is not wholly stripped of constitutional protections when he is imprisoned for a crime. There is no iron curtain between the Constitution and the prisons of this country [italics added]. (Krantz, 1981:437)

Second, the removal of the barriers to court access opened the floodgates of prisoner litigation. Third, the courts began to return certain rights to prisoners. In addition to the constitutional safeguards of procedural and substantive due process, conditions of confinement emerged as the central theme of inmate complaints.

The second stage of correctional law, the "restrained-hands" phase, marked a shift in court decisions toward a

balancing of prisoners' rights and the "legitimate interests" of the state. While many corrections officials heralded the return of hands-off, the Archambeaults' use of the term "restrained" represents a better portrayal of the dynamics involved in this phase. Even though the traditional theme of the hands-off doctrine, judicial deference to correctional administration, was reaffirmed (Bell v. Wolfish, 441 U.S. 520, 1979), so, too, the mandate of judicial intervention to safeguard both constitutional dictates and basic humanity was simultaneously affirmed (Rhodes v. Chapman, 1981). The restrained-hands phase continues to the present date and constitutes a period of heightened ambivalence for corrections. This uncertainty stems from the lack of a clear direction by the court regarding prisoners' rights litigation. This uncertainty can be symbolized as the result of the conflict between two opposing judicial philosophies: judicial intervention versus judicial deference.

The tension between the tendency for action (judicial intervention) and the tendency toward inaction (judicial deference) represents a powerful dialectic. The importance of the dialectic is its common appearance as a method of representing the predominant ideologies correctional law. Within the dialectic, the court endorses neither position as containing all the truth. Instead, the appropriate level of response in prisoners' rights litigation may consist of a combination of the two positions. The use of the word

"restrained" indicates a shift or movement of the court's decision-making strategy along the continuum between judicial intervention and judicial deference. What is being restrained is judicial intervention. Judicial deference is the means of restraint.

Judicial Intervention

Three questions arise out of the tension between judicial intervention and judicial deference. What is the rationale for intervention? What is the rationale for deference? How can anyone know which of these two rationales is more important? With regards to intervention, Justice Brennan, with Justices Blackmun and Stevens in concurrence, articulates in Rhodes the indispensability doctrine of judicial intervention:

> Thus, the lower courts have learned from repeated investigation and bitter experience that judicial intervention is indispensable if constitutional dictates -- not to mention considerations of basic humanity -- are to be observed in the prisons. (Krantz, 1982:43)

This principle of intervention also illustrates an interesting phenomenon commonly found in court decisions. Frequently, the reader must pay particular attention to what is not stated. Communication theorists describe this process as follows: "That which is said without being said is not really said, but somehow is communicated with particular power" (Watzlawick, 1978:86).

Presumption of Harm

Permeating the indispensability doctrine is a

presumption about the harmful nature of prisons. This sentiment is best expressed in the discussion of corrections found in the President's Commission (1967a) which states:

> Life in many institutions is at best barren and futile, at worst unspeakably brutal and degrading. To be sure, the offenders in such institutions are incapacitated from committing further crimes while serving their sentences, but the conditions in which they live are the poorest possible preparation for their successful reentry into society, and often merely reinforce in them a pattern of manipulation or destructiveness. (p. 159)

Statements of this nature by the foremost experts in corrections and criminal justice are bound to have a lasting impact on the thinking of the federal court judges whose knowledge of corrections is, at best, based on secondary sources. However, the reason that the presumption of harm expressed in the President's Commission has maintained its durability over the years may be directly related to the accuracy with which it portrays conditions of incarceraton.

Arkansas prisons. Shortly after the President's Commission, the courts were forced to address the issues of cruel and unusual punishment raised by Thomas Murton (Murton & Hyams, 1969). In the landmark decision of Holt v. Sarver (1970), the court found the entire Arkansas prison system to be unconstitutional. In addition to a long list of atrocities, including murder, the court gave credence to earlier writings and theories about the importance of the social and psychological atmosphere within the prison (Clemmer, 1940; Goffman, 1961; Sykes, 1958). Most importantly, the Holt decision established the doctrine of a cumulative impact.

The court indicated that even though a punishment or event may not be per se cruel and unusual, the combination of various circumstances can create a cumulative impact which is unconstitutional. The court's reasoning was as follows:

> The distinguishing aspects of ... penitentiary life must be considered together ... All of those things exist in combination; each affects the other; and taken together they have a cumulative impact on the inmates regardless of their status. (Krantz, 1981:352)

The issues revealed in Holt confirm the presumption of harm while elevating the question of human dignity to a constitutional level.

Attica. Individual reactions to conditions of confinements are situational (Toch, 1977). With the onset of the 1970s, some reactions to conditions of confinement began to take the form of violence. The riot at New York's Attica Correctional Facility in 1971 provides some interesting insights about prison violence and conditions of confinement (Inciardi, 1987; McCain & McNally, 1981). First, the erosion of control or the crescendo to violence was a process and not a single event. Even though one event did trigger the riot, the widespread violence was the result of the cumulative impact of conditions of confinement over a period of time. Second, the Attica uprising helped to change the definition of conditions of confinement. In the inmate's 28-point proposal to end the riot (Cole, 1986:489), very little consideration was given to demands about the physical environment, such as, overcrowding, sanitation and safety. Instead, the inmates were requesting concessions

which the courts would later define as basic constitutional rights (Bernat, 1988). These included better food, political and religious freedom, reduced cell time, better communications, realistic programs for rehabilitation, education, and drug treatment, and better legal assistance services (Inciardi, 1987:590). The lesson from Attica was that the presumption of harm must include the wanton and unnecessary infliction of pain to human dignity. The presumptions of both physical and emotional harm support the indispensability doctrine for judicial intervention.

During the period when judicial intervention flourished, practitioners complained that the balance of power had shifted in favor of prisoners. In other words, offenders appeared to have more rights than public servants. A clear line was needed to delineate the boundaries of prisoners' rights. The process of setting limits was clarified in Meachum v. Fano, 427 U.S. 215 (1974), where the court stated that, given a valid conviction, an individual has been constitutionally deprived of liberty to the extent that the State may confine him and subject him to the rules of its prison system so long as the conditions of confinement do not otherwise violate the Constitution. For the remainder of this study, the Meachum decision will provide an underlying assumption to guide the question surrounding conditions of confinement. The central question is this: As applied to the cruel and unusual punishment clause of the Eighth Amendment, what conditions of confinement are unconstitutional?

Eighth Amendment Tests

In the Rhodes decision, Justice Powell outlines the history of those tests used to determine cruel and unusual punishment. These tests are presented in specific sequence so that lower courts may arrive at the totality of circumstances question at the appropriate time. Justice Powell's dicta on Eighth Amendment tests are flexible and dynamic. These characteristics insure that there are no static tests of cruel and unusual punishment.

Upon receipt of an arguable complaint about conditions of confinement, the court must decide whether these conditions constitute cruel and unusual punishment. Based on the combination of Meachum and Rhodes, the court has stated that there are no constitutional guarantees which require that conditions of confinement be comfortable or pleasant. Therefore, when do unpleasant conditions become cruel and unusual? To answer this question, the court draws upon its findings in Gregg v. Georgia, 428 U.S. 153 (1976) which defines non-physically barbarous punishment as cruel and unusual when it involves the unnecessary and wanton infliction of pain. While it is incumbent upon the plaintiff to establish the infliction of pain, the court clarifies in Gregg that among unnecessary and wanton inflictions of pain are those that are totally without penological justification. Thus, the first Eighth Amendment test focuses on the correspondence between conditions of confinement and the goals of corrections.

To remain flexible, dynamic, and non-static, these tests are inherently complex. An answer to a single constitutional question may raise a host of additional questions. For example, if penological justification is the correspondence between correctional practice and correctional goals, what are the legitimate goals of corrections? The court has been fairly independent in its delineation of the goals of correction. Without providing lengthy explanations nor rationales, there has been an evolution in the list of goals as defined by the court. Until 1981, the courts presented various combinations of the following four correctional goals: deterrence (both general and specific), security, order, and rehabilitation [Pell v. Procunier, 417 U.S. 817 (1973); Procunier v. Martinez, 416 U.S. 396 (1974); Ramos v. Lamm, 485 F.Supp. 122 (D. Colo. 1980)].

New correctional goals. In Rhodes, the court drops all previously mentioned goals except for deterrence. Accordingly, the court approaches the problem of defining correctional goals as follows:

> In discharging this oversight responsibility, however, courts cannot assume that state legislatures and prison officials are insensitive to the requirements of the constitution or to the perplexing sociological problems of how best to achieve the goals of the penal function in the criminal justice system: to punish justly, to deter future crime, and to return imprisoned persons to society with an improved chance of being useful, law-abiding citizens. (Krantz, 1982:43)

Based on precedents in James v. Wallace, 382 F.Supp. 1177 (M.D. Ala. 1974) and Pugh v. Locke, 406 F.Supp. 318 (M.D. Ala. 1976), the court rejects the right of prisoners to

rehabilitation. Rhodes affixes the "no worse off" doctrine as a legitimate goal of corrections. In other words, conditions of confinement may not permit the deterioration of a prisoner's status as the result of incarceration. Furthermore, imprisonment may not obstruct a prisoner's efforts to rehabilitate himself. To the extent that conditions of confinement violate this "no worse off" doctrine, they may be without penological justification; they could constitute unnecessary and wanton infliction of pain; and they would probably be unconstitutional under the cruel and unusual punishment clause of the Eighth Amendment.

The court does not provide standards to measure the "no worse off" doctrine. Therefore, in the majority of cases, the ability to predict specific outcomes for certain questionable conditions of confinement depends upon value judgments and educated guesses. This arrangement permits and even encourages conflict. For example, the goals outlined in Rhodes could be used simultaneously to argue both for and against certain correctional practices. Can measures outlined to exact punishment and impose deterrence be construed as measures which could violate the "no worse off" doctrine? Toch (1977) maintains that survival in prison is a transactional event whereby each person interacts uniquely with the conditions of confinement. Therefore, the standardization of correctional practice will not guarantee uniform correctional outcomes. Hence, what may be harmful for one prisoner might well be enjoyable for

another. Two questions face the court at this point. What is acceptable correctional practice? And is the assessment of pain a function of the individual or the group? This latter question is a central part of the Rhodes decision, and it will be addressed later.

Acceptable correctional practice. The second test addressed by Justice Powell is applied to the question of acceptable correctional practice. While the court will not define what is acceptable, it has ruled on several cases of what is unacceptable. In fact, the mandate of the court is the recognition and definition of what is unconstitutional rather than what is constitutional. With regard to cruel and unusual punishment, the court draws heavily upon the dignity of man test articulated in Trop. Correctional practices can be found to be unconstitutional if they offend the dignity of man by being of such character or consequences as to shock the general conscience or be intolerable in fundamental fairness. What shocks the general conscience? Implicit in the answer to this question is the input of an objective perspective. The court maintains that this perspective must follow the criterion outlined in Trop which states that the Eighth Amendment clause on cruel and unusual punishment draws its meaning from the "evolving standards of decency that mark the progress of a maturing society" (Krantz, 1981:334).

This test is problematic. The logic involved in previous references to this concept emphasizes the linear

progress of these evolving standards of decency. Consistent with the positivist notions of the court (Cole, 1986), the evolution of meaning from the Constitution progresses in a unidirectional fashion. However, Rhodes poses an interesting question: Can the standards of decency which mark the progress of a maturing society regress? This appears to be the case, given the sweeping changes in the goals of corrections. The directionality of this concept has been reversed; its unidirectionality has been challenged. In addition, the usefulness of this test is also tainted, for it is the legitimate function of the legislature to measure the progress of our society. When determining questions of law, the court is informed by the legislature as opposed to informing the legislative and executive branches on nonlegal issues. By succumbing to social jurisprudence pressures to change the goals of corrections, Rhodes may set a dangerous precedent with regard to the separation of powers and its influence on laws emanating from landmark decisions. From these perspectives, the dignity of man concept provides little guidance to the court in evaluating conditions of confinement when applied without objective and professional guidelines.

Objective factors. The third test outlined by Justice Powell is a logical extension of this requirement for an objective perspective. Drawing upon the prior reasonings of the court in Rummel v. Estelle, 445 U.S. 263 (1980), Powell affirms that each particular court will be forced to form

its own judgment which will be brought to bear on the question of acceptability of a given correctional practice. Furthermore, these judgments regarding conditions of confinement should be informed by objective factors to the maximum extent possible. Again, a reference is made to a professional corrections perspective.

There is an inherent difficulty with all of these tests. The absence of criteria and parameters means that decisions regarding the constitutionality of conditions of confinement rest on value judgments. The presumption of flexibility and the aversion to a static or quantifiable test prevent the establishment of consistent criteria for adjudicating the constitutionality of conditions of confinement. It should come as no surprise that unconstitutional conditions of confinement are difficult to define. To compound this problem, the court refuses to define the ideal correctional environment which is also a refusal to define acceptable correctional practice. Furthermore, the court relies upon guiding principles as opposed to a case-by-case articulation of unconstitutional conditions of confinement. These guiding principles specify key areas within conditions of confinement which are most susceptible to a finding of unconstitutionality. In addition, these guiding principles make reference to basic rights and conditions which should be afforded to all incarcerated offenders.

Guiding principles. Guiding principles can be grouped according to three basic requirements of the correctional

environment. First, a healthy and habilitative environment is required (Ramos v. Lamm, 1980). These environmental issues include sanitation, fire safety, ventilation, exercise, activities to prevent idleness, and overcrowding [Anderson v. Redman, 429 F.Supp. 1105 (1977); Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Mo. 1980); Davenport v. DeRobertis, 653 F.Supp. 649 (N.D. Ill. 1987)]. Second, the correctional institution provides sufficient time and encouragement for reform [James v. Wallace, 1974; Laaman v. Helgemoe, 437 F.Supp. 269 (1977); Pugh v. Locke, 1976]. Within this category, the court has rejected corporal punishment [Jackson v. Bishop, 404 F.2d 571 (8th Cir. 1968)] while requiring activities outside of the cell to reduce tension and frustration [Inmates of Occoquan v. Barry, 650 F.Supp. 619 (D. D.C. 1968); Dohner v. McCarthy, 635 F.Supp. 408 (C.D. Cal. 1985)]. Third, acceptable conditions of confinement require a safe environment which affords reasonable protection against violence and sexual assaults [(Capps v. Atiyeh, 495 F.Supp. 802 (1980); Pugh v. Locke, 1976; Ramos v. Lamm, 1980] and protection of the prisoner's sanity and mental well-being (Laaman v. Helgemoe, 1977). The safety requirement does not guarantee freedom from assault [Penn v. Oliver, 351 F.Supp. 1292 (E.D. Va. 1972)]; however, where violence and terror are hallmarks of the environment, an individual need not wait for an assault to obtain relief [Woodhous v. Commonwealth of Virginia, 487 F.2d 899 (4th Cir. 1973)].

The Rhodes Tests

Totality of circumstances. The absence of consistency resulting from these Eighth Amendment tests may have provided sufficient motivation to the court for a reevaluation of unconstitutional conditions of confinement. In the first test, the totality of circumstances doctrine shifts the level of analysis from a review of specific conditions of confinement to a global perspective of these conditions. The court has thus indicated that while a punishment may not be per se cruel and unusual, the combination of various circumstances can create a cumulative impact. The concept was introduced in Holt v. Sarver, 1970. The concept of totality of circumstances achieved full definition and endorsement by means of the precedent set in Laaman v. Helgemoe, 1977. It is the language in Laaman which best describes this concept:

> Even though no single condition of incarceration rises to the level of a constitutional violation, exposure to the cumulative effect of prison conditions may subject inmates to cruel and unusual punishment ... Their environment must be minimally safe: dangers are presented by the presence of the mentally deranged, the violent and the diseased; by the presence of rats, insects and other vermin; by the absence of fire fighting equipment and adequate emergency exits and plans ... Moreover, repetitive and numerous, individually insignificant trespasses over most or all of the lines can accrete to a constitutionally intolerable environment. The touchstone is the effect upon the imprisoned [italics added]. Where the cumulative impact of the conditions of incarceration threaten the physical, mental, and emotional health and well-being of the inmates and/or creates a probability of recidivism and future incarceration a federal court must conclude that imprisonment under such conditions does violence to our societal notions of the intrinsic worth and dignity of human beings and, therefore, contravenes the Eighth Amendment's proscription against cruel and unusual punishment. (At 322-323)

This test does not reduce the flexibility associated with prior tests of the Eighth Amendment. Instead, the totality of circumstances test establishes a new level of analysis without greater assistance in defining unconstitutionality.

Actual effects. The second test enunciated in Rhodes is the actual effects doctrine. The wording in both Rhodes and Laaman makes reference to the actual effects doctrine in relationship to the "imprisoned." This word is a collective noun and represents a group of individuals. Again, the level of analysis is shifted from an individual assessment to a group or composite assessment. This is, however, consistent with the transition established by the cumulative effects doctrine.

The importance of the actual effects doctrine is its relationship with the presumption of harm which underlies judicial intervention. There was a point in the evolution of court cases during the hands-on period where unacceptable practices and intolerable conditions were necessary and sufficient conditions to warrant a finding of unconstitutional conditions of confinement. However, Rhodes requires the demonstration of this presumption of harm. The totality of circumstances must adversely affect those who are imprisoned in such a manner as to create a harm or damage. The difficulty with this strategy is the court's inherent failure to set standards or guidelines by which to judge or define harm. To the extent that these criteria are missing, prisoners must rely upon the individual expertise of judges

to evaluate correctional practice and conditions of confinement.

In summary, these new tests for conditions of confinement support a judicial intervention strategy. Even though the initial impression favors intervention, Rhodes shifts the levels of analysis without providing new or more understandable criteria or guidelines for determining unconstitutional conditions of confinement. Through prior reference to guiding principles, the court has provided a limited picture of those conditions which are without penological justification and which shock the general conscience. By adding the test for totality of circumstances and actual effects, the Rhodes decision continues to complicate the decision-making process regarding Eighth Amendment challenges. It is the inherent complexity of the conditions of confinement issue which shrouds the Rhodes decision with questionable utility. At best, the tests outlined in the decision serve better to define only limited circumstances of unconstitutionality. Very little can be derived to assess the nature of constitutionality acceptable conditions of confinement. While Rhodes redefines the focus for conditions of confinement litigation, the absence of a criterion for judging these conditions provides little solace for the practitioner. In addition, the decision does not resolve questions surrounding personal and professional liability.

Judicial Deference

Judicial deference represents one side of an argument

regarding how much the state may restrict the rights and privileges of prisoners within the limits set by Meachum. The decision to defer to the expertise of correctional practitioners is a function of the test used to evaluate the restrictive elements of the conditions of confinement. Following the period of judicial intervention characterized by hands-on, the decision in Bell v. Wolfish, 441 U.S. 520 (1979), established the rational relationship test as the criterion for evaluating restrictive elements of conditions of confinement. In comparison to the more stringent compelling interest test associated with judicial intervention, the rational relationship test requires correctional practitioners to demonstrate and explain a plausible and reasonable link between a correctional practice which restricts prisoners' rights and the substantial interest of the state involved in the operation of a correctional facility. The resurgence of judicial deference is based on this test.

Adoption and execution. The deference principle as defined in Bell instructs the courts to defer to correctional authorities in the adoption and execution of policies and practices that are needed to preserve internal order and discipline and to maintain institutional security (At 547). This principle is affirmed in Rhodes and focuses attention on two issues. First, implicit in the deference principle is the complexity and intractability of the correctional situation. Since the judiciary may never acquire sufficient

expertise to define acceptable correctional practice, the court should be deferential to those who better understand corrections. Second, Rhodes places increased emphasis on the importance of policies and practices. The courts may defer to acceptable policy as an indicator of acceptable practice; however, it is neglect and not policy that causes unconstitutional conditions of confinement. These two components of the principle of deference merge in Rhodes to underscore the importance of professional correctional standards.

Marshall's Objection

There is a basic inconsistency in any legal principle which grants favor to one of the parties in litigation. The principle of judicial deference means that under a set of prescribed circumstances, the court will give greater weight to the evidence presented by correctional experts regarding appropriate correctional practice. Justice Thurgood Marshall maintains that this type of arrangement taints the underlying precept of fundamental fairness. In Jones v. North Carolina Prisoners' Labor Union, Inc., 433 U.S. 119 (1977), Marshall argued that a correctional administrator's propensity to maintain order in a correctional institution most probably results in less responsiveness to constitutionally protected interests. In other words, Justice Marshall maintains that correctional administrators invariably err on the side of too little freedom. If this assumption is true, the probability increases that prisoners

will perceive their rights as being violated. When the court assumes responsibility for the interpretation of correctional practice as it relates to the Constitution, the court cannot defer solely to those affiliated with the defendant to define acceptable correctional practice.

A distinction is drawn here between an administrative or disciplinary hearing within a correctional institution and a Supreme Court decision regarding constitutional rights. Administrative law governs the legislature's power to delegate quasi-judicial functions to the executive branch, i.e., a department of corrections (Schwartz, 1983). Furthermore, these quasi-judicial functions are subject to wide procedural boundaries so long as the basic principles of fundamental fairness are protected. For instance, in Wolff v. McDonnell, 418 U.S. 539 (1974), the court held that an independent decision-maker or a neutral third party to the dispute could be responsible for inmate grievance arbitration within a correctional facility. An agency staff member could perform this function with special preference given to a high level correctional administrator or a member of the central office staff. The administrator is concerned with security and order, but he/she also understands that the most efficient manner in which to achieve these security objectives requires a sensitivity to prisoner's complaints and well-being. Therefore, the administrator acts so as to promote the best interest and satisfaction of both parties. For this reason, the court sanctions the administrator's

role as an independent decision maker.

Self-interest. Recognizing that the degree of independent judgment is relative, the role of a correctional official as an expert witness in a prisoner's rights case is clearly different. The role of central office staff is substantially different when they are named as defendants in a prisoner's rights suit. In these instances, self-interest dictates against a judgment in favor of the plaintiff. In addition to the notoriety generated for the entire correctional department, litigation can be significantly detrimental due to (a) the time requirement for administrative and legal staff, (b) the unsettling effect on correctional personnel, especially those named in the litigation, (c) the potential for wholesale policy and procedural revision, (d) the real costs incurred through legal fees and court-ordered changes which often mandate increased expenditures, and (e) the risk of both personal liability and the destruction of a career. For these reasons, a compelling self-interest exists for the correctional administrator to prevail in litigation. Under these circumstances, fundamental fairness is tainted when the defendant or members of the defendant's correctional system or members of a closely aligned professional community are relied upon by the court to serve as the expert witnesses regarding correctional practice. The notion of a "good ole boy" syndrome implies that even corrections professionals from outside the system have a self-interest to see that the correctional department

prevails in litigation since an adverse judgment will eventually affect the correctional field as a whole.

One solution to this problem would be the creation of a set of policies or standards which would define acceptable correctional practice. To be useful to the courts, these standards would need to represent the collective best judgments of correctional experts regarding correctional practice. The standards should reflect and incorporate previously decided constitutional issues. The philosophy and goals of corrections need bear only a rational relationship to the standards. Access to such information would facilitate judicial deference while protecting the issues of fundamental fairness and prisoners' rights.

Acceptable Correctional Policy

Previous cases have provided very few examples by which to judge appropriate correctional policy. Even though the court has set forth guiding principles which specify certain conditions which are inviolate of the Constitution, applications to correctional policy are usually too narrow and too vague to be useful. Practitioners agree with the courts that it would be frivolous to attempt a definition of acceptable correctional practice on a case-by-case basis. Therefore, the existence of a consensually validated professional opinion would be very helpful to both the courts and correctional practitioners. Such a body of knowledge would remove the onus from the court to define

acceptable practice and would help to neutralize the self-interest criticism noted by Justice Marshall.

While numerous standards exist which express the opinion of various correctional groups, the standards of the ACA (1983) are the most widely referenced by the courts. The popularity of these standards is a function of their professional acceptance and of their demanding requirements for correctional policy and practice. Standards also strengthen the argument for judicial deference. Because the standards are based on case law (Sechrest, 1978; Van de Kamp, 1975), they reflect a professional perspective on how best to comply with those constitutional concerns already defined by the court. Simply translated, adherence to standards increases the correctional practitioner's resistance to liability.

The central motivating force in correctional decision-making is the question of how to avoid liability. So great are the risks and costs associated with litigation that settlement is recommended as the method of choice in resolving correctional litigations (Ney, 1985). In this regard, implementation of the ACA standards is viewed by the court as evidence of a good faith effort to comply with the terms of a settlement or court order. It is the logic of the court that since acceptable correctional practice constitutes a rational relationship between the restrictions to individual liberties inherent in that practice and the legitimate and substantial interests of the state in

operating a secure correctional institution, it follows that an acceptable correctional practice would not be held as unconstitutional. To date, this has been the case, and there have been no adverse judgments regarding conditions of confinement rendered against correctional facilities that verify their compliance with and adherence to ACA standards.

Throughout the history of conditions of confinement litigation, the court has stopped short of indicating that a failure to comply with ACA standards is equivalent to the violation of constitutional rights. The court has held in Nelson v. Collins, 455 F.Supp. 727 (D. Md. 1978) and Burks v. Walsh, 461 F.Supp. 454 (1978) that:

> ACA standards for the operation of correctional institutions are instructive and useful guidelines but they are not dispositive on the question of constitutional deprivations. They are postulated as desirable correctional goals and in many instances appear to be aspirational.

While ACA standards may be used to circumscribe those programs that are not unconstitutional, the standards may not be used to define those programs which are unconstitutional. Even though this reference to the ACA standards is fairly straightforward, it underscores several distinctions regarding conditions of confinement.

Beyond the issue of liability, standards help to rebutt the self-interest criticism. By refusing to permit the standards to be seen as merely a method to avoid litigation through a blanket endorsement of questionable correctional practices, the courts have relied upon the ACA standards as

a measure of compliance with relief orders ("Federal Judge," 1987). The strongest endorsement of the ACA standards as the definitive criterion for evaluating acceptable correctional practice has occurred in Tennessee. The legislature, expressing the voice and will of the people, enacted landmark legislation which equates acceptable correctional practice in Tennessee with accreditation by the American Correctional Association (Humphries, 1986). The legislation reads as follows:

> Effective January 1, 1988, a child shall not be placed in a facility operated by the Department of Corrections, unless the placement is in a facility which is accredited or in the process of being accredited by the Commission on Accreditation for Corrections or other nationally recognized accrediting body. (p. 82)

The Commission on Accreditation for Corrections, currently the ACA Division of Standards and Accreditation (DSA), is the agency charged with the evaluation and accreditation of correctional facilities under the ACA standards. The court has clearly indicated that the definition of correctional practice, except in cases of constitutional challenge, is the purview of the legislative and executive branches of the government. Furthermore, while the Tennessee statute raises a host of questions regarding the creation of liberty interests, it effectively puts to rest the question of appropriate professional practice for correctional practitioners in Tennessee.

Principles of Judicial Deference

In the absence of a statute which clearly expresses the

will of the people by setting the boundaries of constitutionally acceptable correctional practice, Rhodes defers to the precedent in Bell that the adjudication of humane conditions of confinement must focus on the adoption and execution of policies and procedures which reflect the correctional administrators' judgments of what is needed to preserve (a) internal order, (b) a program of discipline, and (c) institutional security (Krantz, 1982:48). Therefore, the principles of deference contained in Rhodes can be neatly summarized. First, acceptable practice bears a a reasonable relationship to those curtailments of personal liberties which are necessary for corrections to preserve order, discipline and security. One definition of acceptable practice endorsed by the courts is compliance with the standards of the ACA (1983). Second, the policies and procedures reflective of acceptable practice must be adopted. That is, there must be a formalization of the policies and procedures. Finally, there must be a standardized practice which governs the execution and/or actual implementation of these policies. When these principles exist, the court may properly defer.

The emphasis on judicial deference in Rhodes is a greater source of insight for the correctional practitioner. The principles of deference instruct both the court and the practitioner of those elements necessary to determine that conditions of confinement are outside the definition of unconstitutional. The message is fairly straightforward:

When an institution operates under policies and procedures which construct a correctional practice that bears a rational relationship to the need for internal order, discipline and institutional security, the court will explore judicial deference. Therefore, the definition of acceptable correctional practice appears to be linked directly to the adoption and execution of acceptable correctional policies and procedures.

Objectification of deference. With regards to the question posed earlier, how does the court know when to intervene or to defer? According to Rhodes, the answer lies in a blending of the concepts of acceptable policy and procedure, the rational relationship test, and compatibility with penological objectives. While all three are considered in the decision-making process, the central characteristic of the final decision is the nature of the policy and procedure which governs correctional practice. Because the words "adoption" and "execution" imply a degree of quantification or measurability, the decision to defer is viewed as an objective process. This objectification of deference is strengthened when the evaluation of policies and procedures occurs through an objective and professional process. It is arguable at this point that the symbiotic relationship between the courts and professional standards is more fully developed. Rhodes endorses the reliance upon practitioner judgments when there is a formalization and standardization of professionally endorsed policies and procedures.

Implications

From this analysis of the courts as the external force in changing corrections, three implications are offered about the status of conditions of confinement. First, even though the concern with conditions of confinement preceded court involvement, the past two decades of correctional law have consistently focused on conditions of confinement. The legitimation and elevation of conditions of confinement to a priority status within corrections is directly attributable to the courts. Although the lingering message derived from Rhodes gives the impression of a return to a hands-off doctrine, the crises in corrections created by crowding (Gottfredson & McConville, 1987) and by AIDS (Hammett, 1987) continue to keep prisoners' rights litigations before the court through challenges to the Eighth Amendment on the basis of unconstitutional conditions of confinement.

Second, as the most recent landmark decision, Rhodes clarifies and orders those principles and issues which will inform future judicial decisions regarding conditions of confinement. Within the context of judicial intervention, two separate levels of analysis are changed through the reaffirmation of the totality of circumstances test and the introduction of the doctrine of aggregate actual effects. By linking conditions of confinement to penalogical goals, Rhodes further introduces a no-worse-off doctrine and underscores the importance of an objective perspective on judicial decision-making.

Most importantly, Rhodes reinforces the symbiotic relationship between the courts and the professional corrections community. By outlining principles for judicial deference, the court clearly defines its responsibility in the area of determining only those conditions of confinement which are unconstitutional. Furthermore, the court authorizes the professional corrections community to articulate and define acceptable correctional practice. To the extent that objective and acceptable policies and procedures have been adopted and executed within a correctional facility, Rhodes points the court toward deference. While the Rhodes decision endorses both judicial intervention and judicial deference, the basic emphasis is on judicial deference.

Third, the possibility exists that Rhodes may be a culminating decision in the history of correctional law. With the existence of standards and accreditation through the American Correctional Association, a legitimate rationale exists for both judicial deference and negotiated settlements of inmate litigation (Jones, 1987; Ney, 1985). If this is the case, the failure of the courts to define conditions of confinement constitutes the most troubling of these implications. The key to understanding conditions of confinement and acceptable correctional practice can be better understood through policies and procedures coherent with professional standards.

CHAPTER 3

The Internal Factor: Standards

The internal factor for institutional change represents a movement or transformation within the organization that is motivated by one or more of its members. In many instances, administrative or management personnel decide to change the direction of the organization. In other cases, the participants in the organization, either staff or residents as in a correctional institution, work collectively to bring about change. Correctional history embraces both strategies; however, the primary focus on the internal factor comes from an administrative perspective.

The symbols involved in this analysis of the internal factor are standards and accreditation. In keeping with the determinants of acceptable correctional practice outlined in Rhodes, standards will be shown to be a substitute for the "adoption" of policies and procedures, and accreditation will be linked to the "execution" of these standards. The histories of these two symbols will be reviewed separately.

Standards Development

There are several sets of standards, and many juvenile justice experts have called for a consolidation of them (Allen-Hagen & Howell, 1982). Yet, the standards which have received the greatest use by the courts and have also received the greatest level of practitioner endorsement are those of the ACA (1983). Several key elements are associated with the history of standards development. First,

standards are a function of a bureaucratic or administrative orthodoxy derived from the Progressive Reforms of public administration (Knott & Miller, 1987) and which has become a conventional wisdom among correctional managers (Inciardi, 1987; Sykes, 1958; Truitt & Brewer, 1981). Second, standards establish the parameters of policy and procedure which form a science of corrections (Moeller, 1975). Third, standards provide an underlying structure for the documentation required by correctional administrators in prisoner's rights litigation. And fourth, standards are described as the best hope for the future of corrections (Sublett, 1983; Travisono, 1985).

Progressive Reform and Administrative Orthodoxy

The Declaration of Principles of the National Prison Association, now the ACA, was established by the Honorable Rutherford B. Hayes at the first annual meeting in 1870. Two factors are significant. First, the emphasis on principles, an earlier form of acceptable correctional practices or standards, has its origins in the birth of the nation's largest professional corrections association. Next, these events occurred during the height of the Progressive Reform movement.

Knott and Miller (1987) trace the history of the political movement referred to as the Progressive Reform. Particular attention is devoted to the manner in which the Progressives shaped the nature and extent of public administration. The reform of public administration

centered on three rationales about bureaucracy. First, a need existed to control the rate of bureaucratic expansion. Despite the present concern over shrinking resources in public administration (Behn, 1980), the current growth in corrections and its importance as a national political issue make the rationale for control of bureaucratic expansion a relevant and contemporary issue. As will be seen throughout this analysis, corrections is an unusual organizational entity. Many ideas presumed to be the best thinking among managers often go unheeded or disregarded in corrections, but this particular rationale about bureaucracy continues to be a point of discussion.

The second rationale was the training and development of professional managers. The Progressives believed that administration was sufficiently unique and challenging that administrators should have specialized training and experience prior to assuming responsibilities. This rationale became very attractive to correctional professionals, and, even though corrections was slow to respond, the training of professional correctional managers became a priority through the President's Commission: Report on Corrections (1967a) and through the Omnibus Crime Control Act of 1968 which created the Law Enforcement Assistance Administration (LEAA). Numerous training projects and efforts to develop professional managers have come from LEAA programs (Nelson & Lovell, 1969; Pursley, 1987).

Third, the Progressive Reformers attempted to create a

nonpolitical and technical structure for public administration. The notion of technical principles of administration gave rise to the belief that public administration should be a science. As expressed by Woodrow Wilson (1978), the goals of this administrative science would be accountability and efficiency. Wilson's principles of a science of administration include: (a) the concept of structural likeness or the assumption that the structures of efficient governmental organizations will look very similar, (b) a trained group of staff who are hired because of merit and not because of political patronage, (c) a hierarchical organization with clear lines of authority and responsibility, (d) administration by rules which are written and understood by members of the organization, (e) operational specialization whereby certain staff are trained for specific components of the organization so as to increase the efficient use of resources, and (f) simplicity or unambiguous and non-complex arrangements between members of the organization.

Wilson's principles of scientific administration have an appeal to corrections management. In fact, the link between the Progressive Reforms in public administration and the development of correctional administration is well established. Cole (1987:497) describes the reformatory movement of Zebulon Brockway and Enoch Wines as a Progressive reform. Furthermore, he attributes the beginning of the ACA in 1870 to the political climate created by the Progressive Reform and the new orientation toward a

social scientific approach, later characterized as the positive school of criminology. Allen and Simonsen (1981) continue the association of corrections management with the Progressives through a review of administrative theory where they identify the most significant contribution as scientific management. Finally, Pursley (1987), who represents the criminal justice researcher with a doctorate in public administration, notes the continuing impact of the Progressive Reform through the establishment of the Bureau of Prisons in 1929 and the subsequent centralization of the Federal prisons under the administrative orthodoxy which emerged from the Progressive era. Inciardi (1987) reports the continued adherence to this orthodoxy by contemporary correctional administrators (see also, Benton & Nesbitt, 1987; Cohn, 1982; Duffee, 1975; Harshbarger, 1974; Holmes, 1968; Rubin & Smith, 1968; Truitt & Brewer, 1981).

Administrative orthodoxy. Knott and Miller (1987:6) define administrative orthodoxy as the set of rules about how administrative agencies should be organized and managed. Instructive to this orthodoxy are the works of Weber (1983), Dahl (1947), Simon (1946), and Taylor (1911). However, administrative orthodoxy can best be described through its characteristics. Warwick (1975) describes these characteristics as a hierarchical structure, a series of official positions, formal rules, and technically qualified personnel. Warwick's definition stresses the importance of rules and hierarchy:

> The basic tenet of this orthodoxy is that efficiency requires clean lines of authority from top to bottom in an organization. The central responsibility of the superior is the faithful implementation of policy sent from above and the accountability to his superiors; the key responsibility of the subordinate is obedience. (p.69)

Again, this picture of administrative orthodoxy has the same sort of common sense appeal as Wilson's science of public administration. It should come as no surprise that correctional administrators, struggling with the daily problems of a complex and difficult situation, would be drawn to this approach to administration.

Courts and the correctional orthodoxy. The acceptance of the correctional orthodoxy became complete with the involvement of the courts (Jacobs, 1977; Turner, 1979). What was originally a factor of internal change has been endorsed and expanded by the courts. In response to constitutional challenges and personal liability, the issues of formalization and standardization were added to the correctional orthodoxy (Lund, 1988). For correctional practice to withstand a legal challenge, it must be documented or written. Formalization expresses the degree to which policies and procedures are written and roles are defined, while standardization reflects the extent to which these formalized policies have become a consistent and uniform part of the daily routine (James & Jones, 1976). It is this link between the formalization and standardization requirements of the correctional orthodoxy that reflects the adoption and execution constructs of Rhodes. Furthermore, equally as

plausible is the conclusion that standards have become an ideal solution to the problems which precipitated court involvement (Greene, 1988). The heart of the symbiosis between the courts and professional standards is the fact that court involvement into correctional practice provided the necessary clarity, direction and motivation for the executive branch to properly fund the development of standards.

Warwick's rationales. While the components of the orthodoxy (hierarchy, rules, standardization and formalization) have a natural appeal, Warwick's analysis of public administration reveals several other attractive issues which are compatible with correctional management. Historically, corrections has expanded and diversified to the point that it is the fastest growing services industry. As organizations increase in size, complexity also increases, and the combination of growth and complexity frequently adds to the impersonalization of staff and residents (Present, 1979). Public agencies characterized by complexity and excessive size, such as corrections, are frequently described as fragmented, lacking in accountability, and guided by ambiguous or imprecise goals (Present, 1979:7). Within this type of organization, change generally reflects a movement toward administrative orthodoxy (Allen & Rosenberg, 1981; Harshbarger, 1974; Truitt & Brewer, 1981). While the structure associated with orthodoxy has become commonplace in the management strategy of correctional administrators

(Christy, 1987; Orsagh & Marsden, 1984, 1987; Sykes, 1958:40), Warwick maintains that the popularity of this approach is due, in large part, to the desire of those inside the organization to have rules and hierarchy. The more job complexity increases, the more staff and residents will seek out the structure and control associated with the administrative orthodoxy.

Because of correction's propensity to elicit the involvement of external change forces, Warwick also points out that the orthodoxy has an appeal to those agencies and individuals charged with the authority to change an organization. This assumption is particularly relevant to the relationship between the court as an external change agent and corrections. In applying Warwick's assumption, the courts would choose an administrative orthodoxy for three reasons. First, an orthodox administrative structure spells out clear lines of authority, responsibility and accountability. Thusly, court-ordered changes in conditions of confinement, for example, could be more easily defined, measured, and monitored. Second, administrative orthodoxy creates a helpful working model for both the courts and corrections. Seidman (1970) expresses the nature of administrative orthodoxy as follows:

> Flawed and imperfect as they may be, the orthodox "principles" remain the only simple, readily understood, and comprehensive set of guidelines available...for resolving problems of executive branch structure. (p.8)

The necessity for retrenchment management (Behn, 1980) and

the complexity of the correctional job combine to accentuate the fallibility of correctional personnel. The nature of public service often constrains the recruitment of the most talented persons (Stahl, 1983). Therefore, the imposition of clear directives contained in a helpful model creates the degree of structure necessary to reduce mistakes. Dahl (1947) advocated this type of a science of administration to reduce discretion and subsequently to make more predictable those administrative behaviors associated with inherently erratic bureaucrats. The notion of using administrative orthodoxy as a tool to reduce complexity and to optimize decision making are the same assumptions underlying a behavioral theory of administration (Allison, 1971; Cyert & March, 1963; March & Simon, 1958).

The third reason for the court's selection of an administrative orthodoxy is that the structure inherent in it serves to moderate or stabilize the rate of institutional change. This is particularly important when judicial intervention is involved. Within a correctional institution, sweeping changes in correctional practice emanating from court orders or consent decrees can be moderated by the use of administrative orthodoxy. The best example of how this occurs is through the necessity of the orthodoxy to spell out and inform all organizational participants about what is going to happen, where its going to happen, who will be affected, and why its occurring. Communication theorists and psychologists demonstrated years ago that increased

clarity in communications reduces the anxiety and threat value of the message (Goldstein, Heller & Sechrest, 1966:172). Orthodox principles acquire this level of clarity which stabilizes the change process.

In summary, the administrative orthodoxy which grew out of the Progressive era was adopted as the conventional wisdom of correctional leaders and has been a basic component of acceptable correctional management for the last century (Benton & Nesbitt, 1987). Through the involvement of the courts, correctional institutions were exposed to the harsh and revealing light of liability. To defend the state, the institution, the staff, and themselves, correctional administrators were asked by the courts to demonstrate how their correctional practice approximated administrative orthodoxy. Of central concern are the concepts of rules, hierarchy, standardization and formaliaztion. How this administrative orthodoxy ties into conditions of confinement can be found in the definition and development of standards.

Definition of Standards

The call for principles or standards expresses the same type of organizational problem-solving that is at the basis of the administrative orthodoxy from the Progressive era. However, if standards symbolize this orthodoxy, what is the common or usable definition of standards? Unfortunately, there is very little consensus among practitioners about a working definition of standards. This may stem from what

appears to be an absence of exposure, either through reading or discussion, to the standards by correctional personnel. Furthermore, the academic community has almost totally avoided standards as a phenomenon worthy of description or comment in text and research. Pursley (1987) and Embert and Kalinich (1987) are the rare exceptions.

In light of Rhodes and the correctional community's preoccupation with standards, a perplexing contradiction exists. Contemporary corrections has been referred to as the era of standards (Sublett, 1983). The correctional community views standards as (a) a method to upgrade the practice of corrections (Reimer & Sechrest, 1979; Sieverdes & Bartollas, 1986), (b) as the symbol of administrative excellence (Travisono, 1982), and (c) as a means for professional growth (Fosen, 1975; Fosen & Sechrest, 1984). At this time, a definitive explanation for the academic community's avoidance of standards has yet to be offered. Some practitioners speculate that standards lack substantive appeal to the academics because they are a hackneyed approach to management which is oriented more to avoiding litigation than to upgrading corrections. Conversely, it can be argued that the academic community has yet to examine the standards thoroughly. This may be the result of the failure on the part of ACA to solicit research and validation studies from groups outside the professional correctional bureaucratic organizations.

What are standards? The word "standard" means

something established for use as a rule or basis of comparison in measuring or judging the quantity, content, extent or value of some thing. Professional standards represent the generally accepted criteria for correctional practice. The attainment of these standards may be regarded as a measure of adequacy or excellence. The ACA does not, however, provice a definition for standards. Instead, the meaning of standards must be derived from the use of the word in context. For example, in the introduction to the manual of standards for juvenile detention facilities (ACA, 1983:xvi), standards are described as minimal requirements of acceptable performance. Minimal in the sense that they reflect the basic principles revealed through case law (Sechrest, 1978; Van de Kamp, 1975). Yet, in another sense, minimal conveys the perspective of many practitioners who believe that any standard based on case law reflects the lowest level of acceptability. Since the duty of the court is to define the set of conditions that do not serve as an example of constitutionality, the utterances of the court serve to mark the line between acceptability and unacceptability. To place standards at or near such a line can do no more than be described as minimal.

The ACA would like to have standards seen as the true zenith of correctional practice (Travisono, 1985). In the development of standards, Dale Sechrest (1978) cites numerous examples where the standards exceed the requirements of case law. While the standards transcend

case law in some instances, the criticism remains. For example, ACA recommends in writing that the standards should be exceeded whenever possible. Furthermore, feedback from correctional personnel engaged in the standards and accreditation process is positive. In a survey of correctional managers who have adopted and executed the standards, Czajkowski, Nacci, Kramer, Price and Sechrest (1985) report increases in program and management effectiveness plus an increased capacity to acquire resources.

My experiences with directors of accredited detention facilities are very similar. Most impressive is the standards and accreditation story of Chuck Kehoe and Don Mead at Berrien County, Michigan. Both are dynamic, progressive leaders in juvenile justice, who, prior to adopting ACA standards, ran an outstanding juvenile court system. Can minimal standards make an excellent system better? Both Kehoe and Mead seem to think they can. When accounts like these are repeated from other sources, a persuasive argument can be made that standards represent more than minimal requirements.

The Commission on Accreditation for Corrections (1982:3) describes the ACA standards as the first and only set of comprehensive, operational criteria developed for corrections. There are 417 standards in the latest edition (ACA, 1983). The standards are distributed among 20 different topical areas. The topic areas and their corresponding number of standards are presented in Appendix A. The topic

areas reflect, at a minimum, the guiding principles regarding conditions of confinement as set forth in case law. Of even greater importance is the designation of mandatory standards. Mandatories number 31 in the 1983 edition and parallel the court's concern about conditions of confinement. The correctional community considers the mandatory standards to be of highest priority since they address those situations which could become hazardous to the life, health and safety of offenders, staff and/or the public (ACA, 1983:xvi). The combination of mandatory standards and a comprehensive set of operational standards has yielded impressive endorsement by the correctional community. As it pertains to this discussion, it is important to establish that after careful review and analysis the two major professional associations which represent juvenile corrections, the National Juvenile Detention Association and the National Association of Juvenile Correctional Administrators, have joined ACA in formally recognizing the standards as the best definition of acceptable correctional practice.

Much of the support for standards comes from the belief that they represent a means to professionalize corrections. Most practitioners subscribe to the notion that organizational structure reduces complexity and uncertainty. If the administration of corrections were to be made less complex, the vast majority of practitioners would support this change regardless of its implications. To the extent that

standards are tauted as a means to improve correctional management and reduce liability (Fosen & Sechrest, 1984), correctional practitioners will endorse standards without a thorough analysis of their implications. Even though this is a pessimistic description of correctional administrators, it is reflective of the extremely complex and difficult situations associated with institutional management. In crisis situations, there is a tendency to grasp for immediate solutions without taking the time to understand why these mechanisms are effective. In these instances, resolving the definitional question of whether or not standards reflect minimum or maximum levels of correctional practice becomes a secondary if not irrelevant concern.

Standards and Correctional Policy

In response to the guiding principles of the court, correctional policy took much the same course as the standards movement in addressing conditions of confinement. In 1984, the Policy Committee of ACA adopted the following statement on conditions of confinement:

> Maintaining acceptable conditions of confinement entails attention to the management of the physical plant, operational procedures, programs, and staff. To provide appropriate conditions, agencies should: (a) utilize recognized professional standards to establish guidelines for maximum population capacities in each institution; (b) protect the health and safety of both staff and inmates; (c) maintain an orderly, disciplined environment that requires staff and inmates to behave responsibly; (d) provide programs and services in a climate that encourages inmates to actively prepare for responsible citizenship and community integration; and (e) provide facilities that offer decent and humane environmental conditions for inmates and staff, consistent with professional standards and community

> norms. The maintenance of these conditions require legislative, judicial, and executive cooperation and support. Initiatives must be undertaken to anticipate and meet the challenging needs of correctional facilities. (p. 19)

Each of these five central areas of attention are defined and elaborated by the standards. The adoption of standards becomes the best measure of assessing an institutional orientation toward conditions of confinement (Farkas, 1977).

Accreditation

The standards are meaningless without verification of their execution. Accreditation is the process of verifying the implementation or execution of standards. Accreditation is a function of the Division of Standards and Accreditation (DSA), formerly known as the Commission on Accreditation for Corrections. The DSA is a major organizational component of the ACA and has as its primary purpose the administration of the only national, voluntary program of accreditation for corrections. In conjunction with its Board of Commissioners, the responsibility of the DSA is to develop accreditation policy, render accreditation decisions, and monitor accredited facilities.

The DSA represents one part of a bicameral system in which one group, the ACA Standards Committee, generates standards while the other group, the DSA, implements accreditation. The accreditation process culminates with a standards compliance audit. The DSA selects and trains experts in corrections to conduct an on-site visit of a candidate facility. These experts evaluate the standards

based on specified criteria of documentation and implementation. Using prescribed audit guidelines, the standards compliance audit team reports to the Board of Commissioners of the DSA on the amount of standards compliance within the institution. These reports reflect the proportion of compliance in all relevant areas of the standards, and they are used as the basis for determining accreditation.

By verifying the execution of standards, the institution fulfills the prerequisites in Rhodes that acceptable correctional practice be expressed through the adoption and execution of policies and procedures. Since information provided by the adoption and execution is the best means for determining acceptable conditions of confinement, then it is reasonable to conclude that accreditation is the best indicator of conditions of confinement. Hence, standards and accreditation become one of the strongest rationales for the court to defer to the best judgment of correctional administration in cases of conditions of confinement litigation (Collins, 1979).

Variability

One lingering question remains to be answered regarding accreditation. Does accreditation simply mean that an institution has met a minimally acceptable level of correctional practice or does accreditation indicate that an institution has reached the culmination of corrections? This is the identical question raised about the definition of standards. Are they reflective of minimum or maximum

operational criteria? Again, no consensus is readily available. From the perspective of the accredited institution, accreditation is the epitome of excellence. There is, however, continued debate within the DSA regarding the meaning of accreditation. Yet, there is little doubt in the minds of auditors and practitioners that the variation between accredited institutions can be significant.

My involvement with ACA and the National Juvenile Detention Association has given me rare access to information about juvenile detention facilities. When combined with my experience as a standards compliance auditor, I began to notice situations which caused me to question the reliability of accreditation. Assuming that a causal relationship exists between conditions of confinement as measured by accreditation and the general state of resident well-being, and since accredited facilities have a relatively uniform rate of standards compliance (100 percent compliance with all mandatory standards and 90 plus percent compliance with non-mandatory standards), it seems reasonable to assume that accredited facilities will be somewhat similar. This reasoning is further supported by Wilson's (1978) presumption of structural likeness in organizations reflecting an efficient management strategy. The reasonableness of this thinking was confirmed for me when I sat on the committee to select national resource centers for juvenile detention (Roush, 1987). Four facilities were finalists in the evaluation process. Since I had

visited each of these facilities and knew the administrative and program staff, I was impressed with how closely the written documentation of each program corresponded with my own perceptions based on direct experience. This led me to further conclude that accreditation can produce or sustain powerful and positive programs for youth.

While most auditors have stories which describe the variation between accredited facilities, the source of my skepticism is the state of Florida. Over ten years ago, the Florida legislature, faced with public pressures to solve the abuse and mismanagement in institutions for children, moved the administration of juvenile detention from the local juvenile courts to the state executive branch (Charters, 1981). As a part of the state system, regional detention was instituted; new facilities were constructed using a uniform architectural design; and a contract was signed with ACA to enter all facilities into the aaccreditation process. Accreditation was viewed as a means of upgrading the image of juvenile detention at a cost far less than the resources required through litigation. Given the combinations of a very exacting and consistent application of standards, relatively uniform physical environments, and a centralized administration, I expected to find very high levels of similarity between detention facilities. My experiences as an auditor in five Florida detention facilities were quite the opposite, even though each institution was accredited at a very similar level of compliance.

When Dembo and Dertke (1986) provided a survey instrument and data from an accredited facility in Florida, I was curious to find out how much variation existed between this Florida facility and the National Resource Center Program in Berrien County, Michigan. In addition, I solicited approximately 24 of the leaders in juvenile detention to participate in an information gathering session at the 1985 annual meeting of NJDA in Louisville, Kentucky (Roush & Stelma, 1986). Both the Berrien sample and the Louisville sample completed the problem behavior frequency survey developed by Dembo and Dertke. The only difference was that the Louisville group was asked to respond to the behavior frequency survey as if it applied to their conception of an ideal detention facility. Analysis of variance revealed no significant differences between the Berrien sample and the Louisville sample, whereas the Florida center data indicated significantly higher frequencies of misbehavior than both other groups.

Variability represents the difference between what a policy says and how the policy is implemented. For example, direct care workers in accredited juvenile institutions receive training in communication skills. Documentation can verify that the training occurred, that the staff member was present, and that the staff member demonstrated a certain level of performance during the training. However, the standards do not require that these skills be used, nor monitored, nor evaluated. In other words, an institution

can be found in compliance for a particular training standard even though a staff member refuses to implement the skills acquired in training. In addition to this poor coherence between standards adoption and execution, two other factors are also informative when explaining variation. These factors are the measurement of standards compliance and the inherent tendency of accreditation to move an institution toward bureaucratic dysfunctioning.

Measurement problems. In the 1980 edition of the training manual for standards compliance auditors, the Division of Standards and Accreditation designated three rating scales for evaluating standards compliance:

> Compliance with a standard is rated yes, no or not applicable. A yes response means the agency complies completely with the content or substance of the standard at all times and has written documentation to support compliance. A no response indicates less than complete compliance. A not applicable response means that the standard is clearly not relevant to the situation being audited. (p. 7)

Standards compliance is a function of dichotomous measures. The choices available for compliance involve two mutually exclusive subsets, not a triple partitioning of compliance.

The evaluation of compliance only applies to applicable standards. Therefore, the first evaluation decision involves the classification of a standard into one of two mutually exclusive subsets, applicable or nonapplicable. By partitioning the standards in this manner, the accreditation process is simplified. Next, the subset of applicable standards is also partitioned into two mutually

exclusive subsets, yes (compliance) or no (noncompliance).

The problem with variability has its origin in the inadequacy of this measurement process. As stated above, the evaluation of standards compliance consists of two parts. The first part addresses the general or overall concept of compliance and emphasizes complete coherence with the content and substance of the standard at all times. The intent of this part is an assessment of the institution's commitment to the standard. The absence of structure permits sweeping latitude by an auditor to investigate various aspects of standards compliance and virtually renders this test irrelevant.

Since the Division of Standards and Accreditation does little to explain the content and substance of standards, auditor discretion becomes an important component of standards compliance decisions. Discretion appeals to subjective factors which most auditors avoid, especially in situations where accreditation decisions may be directly linked to litigation, consent decrees, or the future of correctional staff. Most auditors prefer to evaluate standards where precise guidelines for compliance are enunciated. Furthermore, auditors turn away from this general question because compliance is virtually impossible. No institution will ever be in total compliance all of the time.

The second part of standards compliance now becomes the critical assessment upon which accreditation decisions turn.

This part evaluates the written documentation which is a discrete variable in assessing compliance. The categories of acceptable responses are linked to specific criteria and tangible evidence which warrant a simple yes or no answer. The documentation or quantitative questions are amenable to a dichotomous evaluation scale. Because of its quantitative or objective nature, auditors prefer this question as the basis for standards compliance decisions.

By creating this measurement structure, the DSA places priority emphasis on the adoption of the standards. Because this arrangement places secondary emphasis on the implementation or execution of standards, the DSA reduces the probability that compliance or accreditation decisions will be based on qualitative assessments. More importantly, by devaluing standards implementation, the standards compliance audit process is less dependent upon feedback from residents, an assessment phenomenon recommended by the courts but eschewed by practitioners.

The question of compliance is a continuous variable and may fluctuate each day. When assessment of any standard is conducted by individuals who bring their own perceptual biases to the interpretation of compliance, an actual or exact measurement becomes impossible since it is never perfectly stable and is incompatible with the assignment of dichotomous ratings (Glass & Stanley, 1970). As a continuous variable, compliance would be defined better as a measure or degree of intensity or frequency of compliance.

Bureaucratic dysfunctioning. Downs (1967) coined the phrase "rigidity cycle" to describe the tendency of administrative orthodoxy to require more rules and hierarchy to gain control over an organization. Gouldner (1954) describes a similar process whereby hierarchy accentuates power structures within an organization which creates sufficient dissatisfaction on the part of subordinates that they use rules and hierarchy to perform at minimal levels. From these perspectives, does the standards and accreditation process have the potential to create the rigidity cycle?

The bureaucratic dysfunctioning of a rigidity cycle can be seen from a slightly different perspective. The combination of litigation and job complexity serve to increase the risk associated with correctional employment. Therefore, most staff elect to minimize risk by calling for and adhering to clear rules and formal hierarchies. In these situations, goal displacement is likely to occur and rules and hierarchy become the ends in themselves. Merton (1940) describes goal displacement as a situation which restricts problem-solving to only those areas defined by the job description, i.e., the rules and hierarchy. This bureaucratic dysfunction serves to reduce organizational efficiency.

An example of this rigidity cycle can be seen in the way one institution approached the issue of sanitation. One of my standards compliance audit teams evaluated the

resident bathrooms located on the living units as clean and sanitary; however, the institution used a brand of disinfectant which had a remarkably obnoxious odor. In conversations with residents, the smell was unanimously described as highly unpleasant with approximately one-third of the youth describing initial reactions of nausea. Inquiries regarding the use of this particular brand of disinfectant were instantly met with defensiveness and numerous rationalizations on the part of the facility administration. The goal, we were informed, was sanitation, not aesthetics; and state policy prescribed the use of the disinfectant because it was effective and could be purchased at a substantial savings. Objectively, the standard was ruled in compliance; subjectively, the facility did not address the way in which the standard interacts with the individual and the environment.

Lipsky (1971) discusses the rigidity cycle as a type of avoidance strategy which permits a service provider to reduce or disengage from personal interactions with the client. In his discussion of institutional change, Earl Dunlap supports accreditation but points out that the amount of paperwork sometimes interferes with the primary task of interacting with residents (Roush, 1986). Paperwork also permits staff to reduce the amount of interactions with residents. The danger is most acute for detention where a poorly defined (Hammergren, 1983; Hughes & Reuterman, 1982) and complex work environment is combined with difficult youth (Brendtro & Ness, 1983; Jenkins, Heidemann & Caputo,

1985) to create high levels of job stress (Dembo & Dertke, 1986). In these situations, staff may seek to avoid interactions with youth through the structural and formalized requirements of the organization.

Quality of Life

To resolve this variability problem, visiting committees were instructed in 1984 to assess and report on the quality of life (QOL) in the institution. The DSA assumed that standards compliance auditors would know QOL when they saw it. Hence, auditors were initially instructed to use their own internal gyroscopes for QOL in order to reach a consensus evaluation of the QOL for the institution undergoing accreditation. The absence of continuity and consistency in visiting committee reports regarding QOL indicated that the DSA assumptions were mistaken. It is highly questionable whether a significant positive correlation ever existed between the selection of auditors and the understanding of QOL.

The origin of QOL is thoroughly grounded in the accreditation movement. Initial references define it as one of three reasons to deny accreditation (Commission on Accreditation for Corrections, 1982). As such, QOL represents a concern about institutional conditions of confinement which adversely affect the following categories: (a) constitutional safeguards, (b) life, health or safety of staff, and (c) life, health or safety of offenders. The thrust of these categories is the protection of basic rights

for staff and offenders. In more legal terms, the initial concerns of QOL center around the reduction and elimination of wrongs committed by the institution towards staff and residents which threaten constitutional rights and personal safety. The combination of these factors led ACA to define QOL as synonymous with conditions of confinement (Sublett, 1985).

QOL standards. When accreditation moved to the position that variability between policy and practice had to be minimized, QOL statements began to be incorporated in the audit narrative written by the standards compliance audit team chairperson. With the advent of these QOL statements, there was a simultaneous call for greater definition of QOL. The Commission on Accreditation for Corrections (1984) presented the following definition as part of the instructions to standards compliance auditors regarding the construction of the audit narrative report:

> A definitive statement regarding quality of life is included here. Visiting committee judgments regarding the program/facility environment include the following as appropriate: Reports of violence, adequacy of inmate/offender programming versus idleness in community residential or institutional facilities, staff/inmate offender interaction, classification, crowding/current population, cell size and time outside of cell, adequacy of medical services, noise levels, sanitation, use of segregation. (pp. 26-27)

This definition parallels the preliminary discussions of QOL found in the 1982 edition of the Consultant's Manual.

The areas designated as appropriate for judgment relate to specific standards for actual verification of

implementation. Again, no standards are provided by DSA which define an acceptable level of implementation, and auditors are expected to use their own experiences and consensus to evaluate the depth or intensity of compliance. When the practice required by the specific standards does not conform to the auditors' expected levels of compliance, a QOL statement detailing this concern is appropriate. As a result, the DSA has established QOL as a second measure of accreditation which focuses on the degree or intensity of standards implementation.

Throughout the accreditation process, major emphasis has been placed on the objective measurement of standards compliance. Variability and the necessity for quality of life statements create a contradiction, for QOL measures are subjective. Many in juvenile justice believe that the implementation measures expressed through QOL statements are so important to the complete assessment of juvenile corrections that their absence will create such a noise that accreditation may cease to be heard. These concerns about levels of compliance, intensity of programs, and range of services effect a myriad of problems involved in the day-to-day management of effective institutions (Gallas, 1984). More specific reference is focused on staff ratios and qualifications, personnel recruitment and development, program quality and development, and the global assessment of quality of life or quality of care (Roush, 1984).

In practice, the accreditation paradigm includes two

measurement dimensions. First, standards can be defined and explained in formalized and standardized policy statements which are empirical and quantifiable. These factors contribute to the expression of the "what" of corrections. The standards call great attention to the objectification or specification of what constitutes acceptable conditions of confinement. Second, these constitutive elements of corrections must have meaning. This meaning is derived from parameters which limit and define "how" corrections are to be implemented. Since the measurement of this "quality" has been defined as the intensity or degree of standards implementation, the QOL measurement represents the subjective or qualitative dimension of accreditation.

Problems With QOL

Introduction of QOL into the accreditation process is a mixed blessing. It has been identified as the most important issue in the accreditation process (Hahn, 1986; Roush, 1987; Roush & Smith, 1989 and has had the same effect on accreditation as opening Pandora's box. QOL creates two additional problems for the accreditation process. The definition opens an entirely new discussion about environmental concerns. The DSA describes the institutional environment by using two dimensions, a program environment and a facility environment. From this perspective, the program environment is equivalent to the social environment (Insel & Moos, 1974; Moos, 1975). On the other hand, facility environment appears to mean an assessment of the

physical environment.

This dual conceptualization permits the partitioning of QOL into subsets. The duality between social and physical environment approximates commonly held definitions of environmental psychology which stress the interaction between the human experience and its physical surroundings or environment (Canter & Craik, 1981; Craik, 1973). To the extent that QOL incorporates environmental psychology, then the boundaries of study are expanded and the constructs for assessment become far more numerous and far more complex. To move toward a more comprehensive understanding of the dimensions of QOL, the DSA has unwittingly exploded the complexity associated with QOL assessments.

It is important to the future of the accreditation movement that these problems are approached with a positive outlook. The issues of variability, measurement, and complexity are means of improving the accreditation process. However, the new DSA manual for standards compliance auditors makes the issue even more ambiguous by eliminating all references to QOL!

By refusing to solve the problems of QOL, the accreditation process is weakened, and the accurate assessment of the execution phase of standards compliance is suspect. To the degree that these flaws exist, it will not take long for attorneys and litigants to attack accreditation at these for points. If a foothold can be established whereby the validity of the implementation of standards is in question,

the risk increases that a court may be persuaded that the conditions for judicial deference outlined in Rhodes do not exist. Without the requirement that policy be executed, the court may now proceed to intervene, which heightens the risk that an accredited institution may be found in violation of constitutional rights. In this instance, the integrity of accreditation could suffer an irreparable attack.

Collapsing the Construct

Ignoring the complexity of QOL will not make it go away. A better approach would be to collapse the current construct of QOL and to create a more meaningful construct which is coherent with both Rhodes and correctional practice. Due to the porous logic of the ACA conceptualization of QOL, the process is not difficult to accomplish. ACA translates the Rhodes causality principle as follows: accreditation (as the best measure of conditions of confinement) affects directly the QOL or well-being of residents. Rhodes infers that X (conditions of confinement) causes Y (an aggregate assessment of inmate well-being).

The ACA translation represents a deductive fallacy (Salmon, 1963). For example, the ACA causality statement reads: If A (accreditation), then Q (well-being or QOL). If the hypothesis is true, the prediction is true when valid deductive logic occurs. If, however, the prediction is false, the hypothesis is also false and the statement is invalid. This process is called modus tollens or denying the consequence.

From the information presented earlier, QOL is defined by ACA as a second measure of standards compliance or accreditation. No mention is made by ACA to the use of additional information or feedback acquired from residents regarding their well-being, yet these perceptions of well-being represent the "effect" portion of the causality principle set forth by Rhodes. However, without this reference to resident perceptions of well-being, QOL cannot distinctly separate itself from accreditation. As a second measure of A, QOL = A. Therefore, if A, then A. Thus, the prediction or consequence is denied. The ACA translation of the Rhodes causality principle is invalid.

The importance of this argument directly applies to the future of corrections. Conditions of confinement issues may require the DSA to establish a second level of standards compliance. Surely, an increased accuracy of standards implementation would strengthen the ability of the court to assess how well policy has been executed. However, greater accuracy in measuring conditions of confinement, policy adoption and policy execution does nothing to address the "effect" component of the cause-and-effect relationship of Rhodes. By avoiding the legitimate assessment of resident well-being, accreditation is open to claims that it is a charade and part of the "good ole boy" syndrome. Without a subjective assessment strategy, accreditation and corrections have not adequately responded to Rhodes.

CHAPTER 4

Review of the Literature

The historical review of the symbiotic relationship between the Supreme Court and the professional correctional community raises numerous questions. While the literature is not helpful in providing direct answers to the presumed causality principle stated in Rhodes, a substantial body of information exists which guides this inquiry. Three topic areas are of importance. First, what is QOL and can it be adequately conceptualized? Second, what does the literature say about the relationship between the conditions of confinement or the environment and aggregate well-being or human behavior? Third, is there a substantial argument to support a plausible rival hypothesis of variability between accredited institutions?

Defining QOL

One of the key problems surrounding QOL is the failure to define the term. While the ACA emphasis has been on court-generated issues from case law, intuitive or subjective perceptions of correctional experts are also given priority status. However, nowhere in the standards and accreditation literature is there a working definition of QOL. This is the task at hand.

Susman (1983) prefaces his description of action research with the assumption that knowledge is limited by language. As applied to our knowledge of QOL, the starting point is an understanding of the words used in the term.

Definitions are taken from the Oxford English Dictionary and Supplement (1976) in an attempt to provide the richest and fullest context in which these words may be understood. The words are "quality" and "life."

"Quality" refers to an evaluation or rating of something. Two general categories are listed, quality of persons and quality of things. In both cases, quality reflects the assessment, identification or recognition of certain attributes, properties, characteristics, traits and class. As such, quality may include a comparison with things of a similar nature. Thus, a rank or position within a set of things may result. The basic nature of quality is its use as a measure or comparison between similar entities. These entities are animate (persons) and inanimate (things), and this categorization reinforces the use of a duality to represent knowledge (Munk, 1977).

The dualism continues when considering the definition of the word, "life." First, life means the condition or attribute of living or being alive. It is animate existence, the opposite of death. Life as existence is an immediate process, concerned with those energies associated with action, thought, expression and emotions. Second, life represents a course or duration or period of living which spans the time from birth to death. Life, then, is the series of actions and occurrences which constitute the history of an individual. Furthermore, the dualism between historical and instant concepts of life can be expanded to

include not only persons but, also, things. Figuratively, social institutions, and especially correctional institutions, have a life (Zelditch, 1962). They become animate or capable of action at a certain point in time, and they also die or become inanimate. These institutions are alive when people inhabit them, when they have a mission or purpose for existence, and when they act to accomplish their mission.

Definitional Matrix

The dualities in both definitions lend themselves to the formation of a 2 x 2 definitional matrix (See Figure 1). The rows represent the two categories of quality, quality of persons and quality of things or institutions. The columns stand for the two temporal components of life, the historical and the present or immediate. The definition of QOL must now encompass the meaning encased in each of the four cells of this definitional matrix.

Cell 1 represents QOL as the intersection between history and person. QOL focuses on the global assessment of a person's life history. The assessment is cumulative and considers a wide range of experiences and comparisons. Cell 2 emphasizes the immediate assessment of a person's life. It is the present moment that forms the basis for evaluations of quality. Cells 1 and 2 form the row which contains evaluations of the quality of human life. The row may be viewed as an aggregate of individual assessments.

Cell 3 presents QOL as the measurement of something's life history. As applied to an institution, QOL would be an

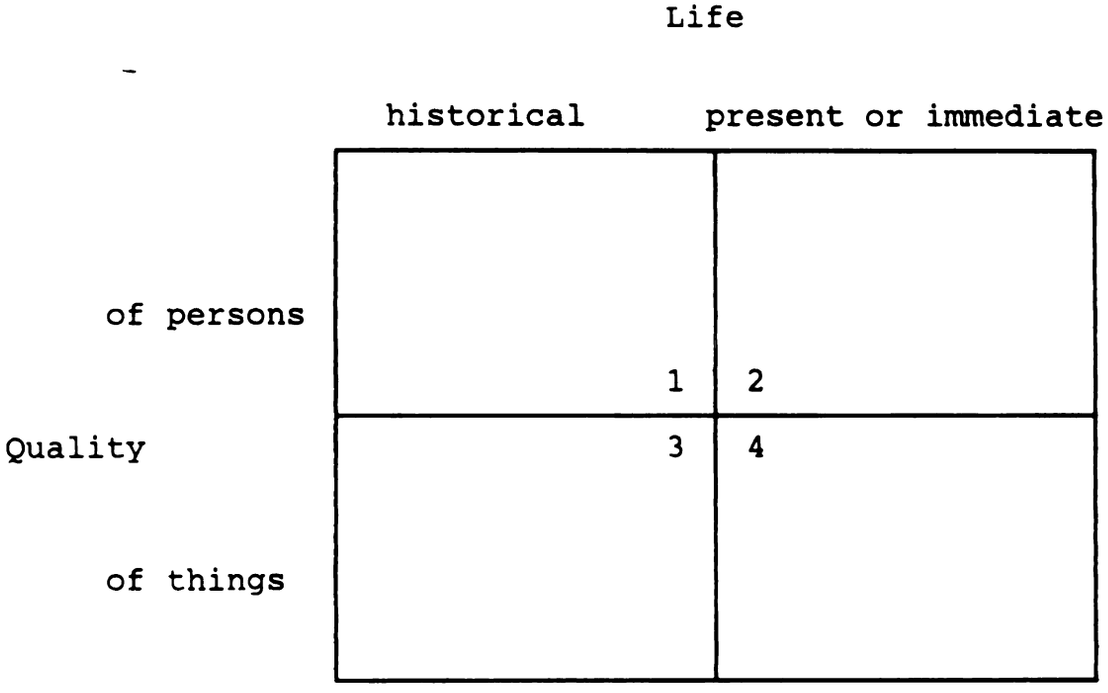

Figure 1

Quality of Life Definitional Matrix

assessment of the institution's traditions and practices from its inception to the present moment. For this study, Cell 3 is of critical importance since it is the criterion used to formulate accreditation decisions. The extent or nature of policy adoption and execution can only be assessed through a comparison of the immediate institution against its own history. The outcome of this assessment roughly translates into conditions of confinement when applied to correctional facilities. These conditions of confinement extend into Cell 4 which is the instant measure of QOL. Yet, the basis of comparison or the meaning derived from QOL assessments in Cell 4 only have meaning in the presence of Cell 3. The row constituted of Cells 3 and 4 are inseparably linked for QOL assessments and reflect the conditions of confinement.

From this semantic matrix, the following definition shall guide the remainder of this study: QOL is a cumulative measure of the combined historical and present characteristics, attributes and nature of both a particular person or persons and those things that constitute their surroundings or environment. While the research literature supports this definition, the development of QOL has taken two distinct paths which reflect the dual emphasis on persons versus things.

Row Dialectics

The dialectics represented by the rows of the definitional matrix reflect the same dialectics found in the

literature. The first of these is the distinction between a physical versus a cognitive representation. QOL has received greatest attention in the literature when applied to the individual standard of living or to the physical environments of the United States and the world. The majority of research in the specification of indicators of perceived environmental quality have their origins in the ecology movement and the quantification of quality as it relates to natural resources (Craik & Zube, 1976). As Schuessler and Fisher (1985) observe, many definitions of QOL are associated with regulatory concerns involving the Environmental Protection Agency (EPA). Most of the definitions resulting from EPA research use quality as a term which indicates some type of comparative or relative grade or evaluation. In response to some baseline or standard, quality becomes a measure of better-or-worse or high-or-low. The dialectic emerges through the inability to resolve the tendency to shift back and forth between an objective perspective (one which emphasizes observable and quantifiable attributes) and a subjective perspective (an emphasis on participant attitudes and feelings).

Physical approach. Proshansky, Ittelson and Rivlin (1970) preface their discussion of environmental psychology by identifying the two major approaches to the study of the individual's relationship to the environment. The approaches are the physical or objective approach and the phenomenological or cognitive approach. Using a scientific

strategy, the physical approach attempts to objectify the study of an environment by breaking it into discrete and quantifiable units (Srivastava, 1982). Stimuli are observed, classified, and catalogued. Within various settings, these discrete units are studied in relationship to other environmental stimuli. Patterns of interactions are observed and measured which permit the construction of models which predict and evaluate behavior (Studer, 1970).

Particular emphasis has been placed on the physical environment, i.e., the people and things that constitute the environment. Spivack (1984) analyzed a wide range of institutional effects related to such physical environmental units as architectural design, furnishings, space, lighting, olfaction and noise. Beyond his rigorous evaluation, Spivack uses the physical environment as a means of defining certain minimal expectations of the institution. In this regard, Spivack endorses the rationale behind mandatory standards and the court's perspective on conditions of confinement. By quantifying the environment, he provides a baseline or referent for judging between adequate and inadequate institutions. Srivastava (1980) completed a similar task for juvenile residential treatment facilities.

Much of the history of the physical approach can be traced to the Chicago School of Human Ecology (Brantingham & Brantingham, 1981; Vold & Barnard, 1986). The term ecology was derived from the biological study of the interaction between plants, animals and their habitat. Probably the

best known application of these principles to juvenile delinquency is the theory by Shaw and McKay (1969). Despite a rather thorough review of the theory's shortcomings, Vold and Barnard assess its vitality as being the definition of delinquency by geography. In this respect, high delinquency areas are characterized by social disorganization, and delinquent behaviors subsequently become supported over time by values and norms which constitute a criminal subculture. Contemporary American ecological criminology continues to focus predominantly on the spatial aspects of crime and justice.

Brantingham and Brantingham (1981) identify environmental criminology as one dimension in the study of crime. This dimension is concerned with the place where crime occurs. Research questions investigate the physical and social characteristics of the crime sites. The authors present a set of propositions to predict specific distributions of crime on the basis of a few simple elements: the distribution of targets; objects of victims; land use patterns; transportation pathways; and offender residence distribution. The basis for this approach to criminology is Jeffery's (1971) argument that the modification of specific features of urban design would reduce crime. Newman (1972) also argued independently that changes in urban architecture would reduce crime. Both arguments are based on a widely supported assumption that human behavior in relation to a physical environment possesses an enduring and relatively

consistent character over time and within the situation (Altman, 1975; Atlas, 1984; Barker, 1968; Baum & Valins, 1979; Craik, 1973; Mathe, 1967; Megargee, 1977; Moos, 1975, 1976; Proshansky, Ittelson & Rivlin, 1970; Raush, Dittman & Taylor, 1959; Spivack, 1984; Stokols, 1978; Studer, 1970; Werner & Olson, 1980).

Cognitive perspective. The meaning surrounding environmental quality is a function of individual experience. A phenomenological approach assumes that the environment of action is constituted by the actor. This means that meaning or reality is directly related to the manner in which the individual perceives the environment (Jessor & Jessor, 1973). The concept of actor-defined or perceived environment is the central characteristic of the cognitive approach.

Ittelson (1978) refers to environmental perception as cognition, affect, meaning, and valuation. Images, conceptualizations and cognitive maps are constructs that have been used to define an individual's perception and understanding of his environment. These images of the environment permit an evaluation or ordering of values, preference, and aesthetics regarding environments. Within this concept, Ittelson states the underlying assumption of the cognitive approach:

> If we view the environment as a person-environment system, within which the individual is both an integral part and an active participant, his/her experience of the situation is a complex set of significances ranging through the varieties of environmental experience which

> defines from time to time reality for that individual. Each individual lives in multiple realities, and realities from individual to individual or for one individual from time to time may be quite different in many aspects. (p. 198-199)

This reasoning is carried one step further by Moore (1979) in a discussion of the constructivist assumption that there is no one particular environment, rather environment is a mental construct. Thus, the environment is imagined differently by different people as the result of different life experiences. Constructivists assume that the nature of the environment is mediated by highly developed interpretative processes.

Cognitive sets. Numerous attempts have been made to characterize the cognitive structures and processes by which individuals classify, perceive, and conceptualize environments (Craik, 1973; Leff & Gordon, 1979; Russell & Ward, 1982; Stokols, 1978; Ward & Russell, 1981). Ward and Russell (1981) explain the variation in these works by proposing three major hypotheses regarding the study of environments. First, the particular environmental structure that emerges from a study is based on those physical properties which are present and analyzed. Due to the wide variety of physical environments, variations in descriptions of structure should also be quite varied. Second, the method of inquiry deter-mines the dimensions that characterize the environment. Third, individual cognitive sets determine the dimensions used to describe places. Derived from the work of Leff (Leff & Gordon, 1979), a cognitive set is defined as:

> A plan to select specific types of information for processing and/or to perform specific mental operations on information being processed. When this information pertains to the physical environment or to the people/ environment relations, we then refer to environmental cognitive sets. (p. 291)

Ward and Russell maintain that cognitive sets do not select environmental dimensions, rather a cognitive set influences the salience of particular environmental dimensions. An example of this would be the diversity among standards compliance auditors in the questions each asks regarding QOL. To the degree that each auditor asks a different set of questions from differing ideological perspectives, descriptions of the institutional QOL should also vary. In other words, cognitive sets are a source of perceptual bias, regardless of the consistency of the physical environment across settings.

Application of these cognitive constructs can be seen in Toch's (1977) transactional model of adaptation to prison. He maintains that a given physical environment along with the social milieu constitute a different psychological environment for everyone who operates in it. The transactions between the individual, the psychological environment and the physical-social environment are of critical importance in making the difference between psychological survival and nonsurvival and between growth and discomfort. The underlying assumption of the trans-transactional perspective is individual uniqueness which means that important needs may vary significantly within the

same environmental context. Toch goes on to explain that:

> The perspective implies that both organizational effectiveness and personal happiness can be maximized through orchestrated diversity. If we can identify differences in the personal worlds that people need for survival, we can deploy organizational options for the best "fit." (p. 5)

This perspective is phenomenological.

Social Ecology

The interaction of the rows calls forth a second dialectic between the constructs used to constitute a social ecology. Moos (1976) defines the social ecology as the impacts of the physical and social environments on individuals. Even though Moos identifies several dimensions of the social ecology, the two most important dimensions in the assessment of correctional institutions are, first, the organizational structure and functioning and, second, the personal and behavioral characteristics of those who are in the environment (Moos, 1975:69). These two dimensions are called the organizational climate and psychosocial climate, respectively (Insel & Moos, 1974). These two climates represent what Moos refers to as the central component of the social ecology, the social climate (Moos, 1974, 1975, 1976). Within the framework of the definitional matrix, social climate becomes an appropriate description of QOL.

Social structure. Scott (1981:15) also argues that there is a central concept which explains the social context of an organization. The social structure is comprised of a normative structure and a behavioral structure which is very

similar in conceptualization to the social climate. Scott clarifies the manner in which these substructures interact by adding a dimension of formalization. Thus, both substructures consist of two perspectives, a formal structure and an informal structure. Scott's formalization dimension links the definitional discussions to the formalization involved in the administrative orthodoxy and the accreditation process. For example, the normative structure includes a system of values, norms and rules. The formal normative structure is explicit in its specification and definition of the relationship between individuals and the organization. The normative structure parallels the organizational climate. On the other hand, the behavioral structure focuses on the actual behavior involved in the activities, interactions and sentiments which characterize the social structure. Again, the behavioral structure is similar to the psychosocial climate.

Organizational climates. James and Jones (1976; Jones & James, 1979) address the concepts of organizational climate and psychological climate. These climate concepts are the best organizers of meaning for the row dialectics. In addition to being conceptually compatible with the works of Scott and Moos, the climate analysis employs the clearest definitions of terms. It is important to note that reference to one climate or to a single dimension climate is quite simplistic (Schneider, 1975). This caveat places priority emphasis on multiple assessments, the use of

histories, and aggregate data. These strategies are consistent with the requirements in Rhodes for the use of a totality of circumstances, a cumulative effect, and actual-harm measured by a group of inmates.

James and Jones (1976:100) define organizational climate as a set of higher order abstractions of first order constructs which represent those prevailing conditions of the organizational environment. These higher order abstractions of first order constructs are (a) organizational context; goals, objectives, resources, technology, (b) organizational structure; size, formalization, standardization, span of control, centralization of decision-making, (c) organizational process; leadership, control, conflict resolution, decision-making, status and power relationships, (d) physical environment; physical space characteristics, environmental stresses, environmental safety, and (e) organizational values and norms; conformity, loyalty, rationality, sensitivity, compassion. Based on these factors, the quality of things row includes conditions of confinement which are expressed by the constructs of organizational climate.

The behavioral structure or psychosocial row is expressed as the psychological climate or the perceptions of organizational climate constructs by those participants in the organization (James & Jones, 1976:100). The authors expand this definition in a later work (Jones & James, 1979: 205) where psychological climate refers to an individual's

cognitive or subjective interpretation of a situation. This process is mediated by how closely the situation is related to direct and immediate experiences of the individual. In this regard, specific perceptions move to varying degrees of abstract depictions of meaningfulness or satisfaction with the situation.

The dialectic in the James and Jones model is consistent with Susman's (1983) explanation of social systems. One component, the technical system, is observational, discrete, objective and empirical. The other component of the social system is phenomenological, cognitive, subjective, and actor-defined. So, too, the semantic matrix of QOL reflects the dialectic between an other-defined row (quality of things) and an actor-defined row (quality of persons). A complete definition of QOL must include both parts of the dialectic. The consistent coherence between these various models confirms an appropriate conceptualization of the duality of meaning found in each row.

Well-being. The third and final row dialectic questions the construct validity of QOL when references are made to both other-defined and actor-defined assessments of quality. Both definitions constitute meaning through environmental perceptions, yet are they equivalent? Milbrath and Sahr (1975) assert that there are no objective or other-defined measures of environmental quality. Quality is subjective and is a phenomenon which should not be expected to be in a fixed relationship to physical things.

The authors further emphasize:

> Quality is not definable in terms of a specifiable quantity of any one or several physical entities that remain stable over time or from place to place. Hence, it is in the nature of quality as a phenomenon that it may shift with observers and shift over time. (p. 399)

Milbrath and Sahr see measures of environmental quality as subjective and unstable. Ziller (1974) also uses a phenomenological perspective when he states that:

> Evaluations of quality of life must evolve from the viewer, the person whose life's quality about which we are concerned. Although the social scientist may be able to point out various positive and negative events and environments within the life space of the individual, it is the experiencing of these events and environments which is the fundamental concern of the phenomenologist. Here the experiencing of life will be described in personal meaning. (p. 303)

QOL is a function of personal meaning and the descriptions attached to it. Unfortunately, experience with accreditation indicates that the personal meanings of residents are rarely assessed and less often analyzed.

These definitions of quality apply to the quality-of-persons row. Schuessler and Fisher (1985) describe QOL as linked to interpersonal relationships at the primary group level. Gerson (1976) expands the relationship concept to encompass the individual and the group as parts of the same process. From this perspective, QOL can be found in the extent to which positive and negative self-feelings are generated. QOL expresses a sense of well-being which results from the degree to which individual needs and expectations are satisfied (Dubos, 1965; Gerson, 1976;

Jones & James, 1979; McKennell & Andrews, 1980; Milbrath & Sahr, 1975; Murray, 1938; Schuessler & Fisher, 1985; Toch, 1979; Wozner, 1982; Wright, 1986). The intent of these studies has been to define QOL as a subjective phenomenon, a latent trait which is not subject to direct observation. Although there are numerous examples of objective studies of subjective phenomena (Barker, 1968; Milbrath & Sahr, 1975; Srivastava, 1982; Zelditch, 1962), the evaluation of well-being is a personal judgment which may not be accessible to an observer through traditional scientific methods. As such, well-being is synonymous with psychological climate and includes such concepts as satisfaction, happiness and other attitudes related to well-being.

Milbrath and Sahr recognize the usefulness of objective studies of subjective perceptions of environmental quality. In these types of situations, individuals report their evaluations of environmental quality according to fairly simple evaluation criteria. These criteria can be scaled and standardized for comparisons across various environmental situations. Objective indicators are particularly relevant for assessments of environmental conditions. Milbrath and Sahr maintain that the physical environment can be evaluated using objective measures. However, ascribing quality measures to an environment depends upon subjective factors. References to conditions of confinement are clearly related to what Milbrath and Sahr refer to as environmental conditions. Since conditions of confinement

are synonymous with the quality-of-things row, the environmental conditions definition is directly applicable. From the ACA standards, objectifiable and quantifiable criteria are available to judge various levels of the organization.

By ascribing the subjective definition of well-being to the meaning of the quality-of-persons row and ascribing the conditions of confinement definition to the quality-of-things row, the construction of a meaningful definition of QOL has come full circle. The dialectic between well-being and conditions is the description used in Rhodes to explain the variables in the causality principle.

Column Dialectics

There are two dialectics which supply meaning for the analysis of the column categories. First, should an assessment of QOL emphasize historical data over instant data? In other words, which column is more important to the assessment process? Historical information is more important. From Rhodes, the priority of the totality of circumstances test and the cumulative effects test is established over a per se or each incident test. The court has stated that the history of behaviors is generally more important than the single behavior. Therefore, the assessment of QOL should analyze historical information on conditions of confinement and resident well-being with a bit more weight than the immediate situation.

Distal v. proximal. The second dialectic focuses on the linear or temporal nature of the columns. If historical

data are preferable, how far back in time should the assessment go? Should information be gathered for the entire life of the organization? What role does the present play since most data are gleaned by auditors from their direct experience of the instant environment? Jessor and Jessor (1973) resolve these dilemmas by arguing that it is possible to order multiple and various environments along a dimension which measures their proximity to the direct experience or response of an actor. Proximity of the environment constitutes a continuum with one pole being referred to as distal and the other pole as proximal. Distal environments are those which are relatively remote from direct experience, are described in nonpsychological language, and are without immediate functional significance to the individual. Conversely, proximal environments are environments of perception, experience, or functional stimulation which are directly experienced. Jessor and Jessor conclude that personality development and behavior are dependent upon the proximal environment. This does not imply that distal variables do not influence personality and behavior. Instead, these relations are only indirect and probabalistic. Distal variables apply because they are mediated by intervening proximal variables. The authors contend that the more proximal the environment, the more it is of immediate causality.

To explain their hypothesis, Jessor and Jessor constructed a schema for relating the environment to

personality and behavior. The schema follows the continuum from distal environments to proximal environments. As each schema dimension becomes more proximal to experience, the value to QOL increases. It is the last two dimensions nearest the proximal pole that are most important since the reliability and validity of information are most robust the closer the assessment is to the actual experience. The first of these dimensions consists of potential perceptual terms which refer to descriptions of a perceivable environment made by an observer attempting to adopt the perspective of a specific group or a particular actor. Potential terms are observer-defined. The second dimension which is closest to the proximal pole incorporates actual perceptual terms. Actual terms refer to actual perceptions, experiences, interpretations, or definitions of the situation by an actor. This concept is actor-defined. Furthermore, within the dimension of actual perception terms, some aspects can be considered more proximal than others. In other words, the distal-proximal schema can be used as an ongoing level of analysis for both observer-defined and actor-defined environments. The benefits derived by the schema have been an ability to move the physical approach and phenomenological approach closer together. In the terms of the definitional matrix, the most relevant areas of assessment are the potential and actual terms which are located at the line of interaction between historical and present information.

QOL as Social Ecology

Throughout the analysis of QOL, three themes consistently emerge. QOL is the interaction between the individual, the social environment and the physical environment. Insel and Moos (1974) refer to the study of these three factors as social ecology. They make a distinction between social and human ecology with human ecology representing a greater concern for the distribution of human populations. While this approach has some parallels with the works described by Brantingham and Brantingham (1981), social ecology is the areas of study which is at the foundation of all QOL inquiries relating to juvenile corrections.

Moos (1976) presents an overview of the social ecological perspective. In general terms, Moos describes social ecology as an approach which attempts to understand the impact of the environment from the perspective of the individual. This approach also combines the study of the physical and social environments. It is concerned with the basic unity of the milieu. A social ecological approach emphasizes individual adaptation, adjustment, and coping. This results from the notion that environments may be seen as actively stressful. Furthermore, environments may limit, resist, or inhibit human behavior. Conversely, the environment may favor or select certain individuals and characteristics based on its particular stimulus set or structure. As a result, the environment may act as a developer of human potential. In either case, the environment is seen as an

active, positive force on individual behavior.

The theoretical underpinning of the social ecological approach is the field theory of Kurt Lewin (1951). The statement that human behavior is a function of the state of the person and the state of the environment is accepted as conventional wisdom. Thus, the milieu represents the totality of coexisting factors with particular importance paid to the interaction between the individual and the situation (Murphy, 1947; Yinger, 1965). Therefore, any definition of a social ecology must address the individual and the social-physical environment plus the relationship between them. Lewin's boundaries between the individual and the psychological environment or between life space and the physical world have been described as permeable (Mischel, 1971). The capability for mutual influence makes prediction of individual behavior extremely difficult. Therefore, Lewin advocates research which describes and explains the life space. Coutu (1949) suggests that the constant reciprocity between the individual and the physical environment should best be understood as a tendency-in-situation.

Environmental press. Through his investigations into personalities, Murray (1938) noted that a stimulus situation represents that part of the environment to which the individual reacts. Murray classified these stimulus situations according to the effect that they have on the individual's ability to satisfy needs and/or expectations. Thusly, stimulus situations may either facilitate or obstruct, and

this tendency or potency is what Murray called the environmental press. The nature of interaction between individual needs and environmental press is represented by a thema:

> A thema may be defined as the dynamic structure of a simple episode, a single creature-environment interaction. In other words, the endurance of a certain kind of press in conjunction with a certain kind of need defines the duration of a single episode, the latter being a convenient molar unit for psychology to handle. (p. 42)

Due to multiple needs on the part of the individual and variations of environmental press, behavior shows both a degree of predictability and substantial complexity.

Through the identification of environmental process, Murray introduced the concepts of alpha press and beta press (p. 122). Alpha press represents the press that actually exists as far as it can be determined through empirical and objective methods. Alpha press is other-defined. Beta press is the subject's own interpretation of a phenomenon. Beta press is actor-defined. Murray defined delusion as a wide divergence between alpha and beta press. Within this context, Maddi (1968) criticizes Murray's conceptualization of alpha and beta press because he does not indicate which of the two is more important in the explanation of individual differences. Moos (1975) and Toch (1977) both use the beta press as a means of explaining behavior in correctional settings. While the question remains unanswered between Murray and Maddi, the court has placed the priority emphasis on the beta press.

Raush (Raush, Dittman & Taylor, 1959; Raush, Farbman &

Llewellyn, 1960) conducted several tests of the field theory. Working with preadolescent males in a residential treatment setting, Raush observed that different types of behavior settings elicit various types of behavior. He concluded:

> In general, there is individual consistency in social behavior across different settings and there is setting consistency across different individuals. But the interactive effects between the child and setting contributed far more information about behavior than did the sum of the independent components. (p. 375)

Conrad (1972) extended these principles by developing a classification of disruptive behavior which is situationally specific. Conrad addressed hyperactivity in school age children, many of whom were described as situationally hyperactive. That is, hyperactive behavior was reported in one or more, but not all environments in which the child operated. Situational hyperactivity was seen as a response to a specific environment which was not determined by the situation, but rather a response that was elicited within the situation. In other words, since the behavior may be a meaningful response to the child-environment interaction, its etiology can be found in the situation to which the child responds.

Lewis (1984) introduced the concept of ecological management as a necessary condition for the residential treatment of children. Lewis maintained that particular problems, such as, behavioral disorders and emotional disturbances, can be traced to a history of negative

transactions between youth and members of their ecology. These negative transactions lead to an incongruence between the demands of the social ecology and the youth's ability or willingness to respond to these demands. When individual tolerance for such ecological incongruence is exceeded, emotional disturbance or behavioral disorders result.

Relationships between Environment and Behavior

The presumption of a causal relationship between the environment and human behavior has been strengthened by the positivism of behavioral psychology. Skinner's (1953) radical behaviorism was more concerned with a science of observable behavior than with motive, dispositions, forces and other covert actions. The key to a behavioral approach is the response in the stimulus-response (S-R) paradigm. Skinner argued that one can control others' behavior by manipulating the eliciting stimuli which surround the organism. Behavior, in this instance, is situationally specific, and responses tend to vary and be unstable over time if the stimulus conditions are not highly regular. The methodological goal of behaviorism is to manipulate the environmental or independent variables and then to measure the resulting behavior (dependent variable). Through operant conditioning, eliciting stimuli become discriminative stimuli when linked to reinforcing consequent stimuli which follow the response. This paradigm is expressed as Sd-R-S+. Behavior under this system becomes more predictable and controllable, leading behavior psychologists to

talk about regularities or laws of operant behaviors (Graubard & Rosenberg, 1974:7; Mischel, 1971; Pervin, 1970; Staats & Staats, 1964; Ulrich, Stachnik & Mabry, 1966; Watson & Tharp, 1972).

From this perspective, Jeffery (1971) developed his thesis on crime prevention through environmental design. For all practical purposes, Jeffery constructed a model which incorporates many of Skinner's basic assumptions. Crime consists of four elements: available reinforcement for a criminal act; risk; previous conditioning history; and, opportunity. Jeffery argues that criminal behavior is a result of the anticipated future consequences of the crime as based on past experiences. For these reasons, crime is largely present in the environment rather than in the individual. This hypothesis enjoys wide support and substantiation (Bynum & Purri, 1984; Fox & Hellman, 1985; Ittelson, 1978; Massey & McKean, 1985; Murray, 1983; Newman, 1973). The scientific strategy employed by Jeffery combines with the persuasive logic of Murray's (1938) explanation of the effects of environmental press on personality to form a conventional wisdom which states that the environment shapes, influences, and perhaps controls behavior.

The literature generally supports this hypothesis. Most research has been concerned with changes in behaviors which result from single manipulations of the physical environment. Several problems face researchers in this area. First, there are bureaucratic problems in getting

access to offender populations. Second, the ability to establish a control group in most research is extremely difficult. Third, a Hawthorne effect occurs in prison research since participation in research usually leads to special privilege or status. These factors contribute to the generally inadequate status of the research literature relating to the relationship between the environment and behavior in correctional institutions.

Physical Environment and Behavior

The characteristics of the physical environment include natural features, such as, geography and climate, as well as man-made environments. Despite the variability in behavior within and across settings, certain elements of the physical environment are associated with fairly uniform behaviors. As with any analysis of a single environmental dimension, interactive effects are overlooked. With this caution in mind, Moos (1976) listed the following tentative conclusions based on his years of research and review of the effects of the physical environment on individual behavior.

First, a relationship exists between temperature and behavior. Moos concluded that heat reduces performance while excessive heat increases urban mortality, hostility, and violence. Baron and Rausberger (1978) indicated that there is a point where increasing temperature will contribute to aggressiveness. Griffitt and Veitch (1971) found that interpersonal responses were considerably more negative when subjects were hot and uncomfortable. Farbstein, Wener

and Gomez (1980) suggested that irritability and aggressive behaviors increase with temperature-related discomfort. Russell and Ward (1982) reported more aggression in a hot room versus a cold room.

Atlas (1984) reported the findings of an analysis of over 1392 assault reports from four adult correctional institutions in the Florida Department of Corrections. The results permitted an inferred relationship between intense heat and assaultive behavior in correctional settings. However, Atlas noted a slight increase in assaultive behaviors during those months associated with the lowest temperatures. Since most Florida correctional facilities do not have a gymnasium, there is an implication that assaultive behavior increases during this period due to the lack of access to outdoor privileges and recreation.

Megargee (1977) found that heat did not contribute to the association between crowding and inmate misbehavior. While there is some evidence that a relationship exists between discomfort due to high temperature and aggressive behavior, Atlas (1984) found that data relating to environmental influences are not supportive of theories that rainfall, seasons, or moonphase have direct influence on aggressive or violent behavior in a correctional setting.

Second, offenses to other senses create irritable and aggressive behavior. Moos cited noise as an example of a behavior which leads to annoyance, anxiety, and sleep disturbances in individuals. Russell and Ward (1982) report

that noise leads to fewer helping behaviors and decreases attentiveness to behaviors. This finding is particularly important for institutional staff members who are charged with continuous supervision and with protecting the health and safety of confined youth. The authors also note that excess odors reduce frustration tolerance and unpleasant odors lead to aggression and increased dislike toward others. This finding is directly relevant to the audit example cited earlier where the institutional disinfectant created a profoundly obnoxious odor.

Third, the design of a facility affects social interaction. Sommer (1972) made a distinction between hard and soft institutional designs. The application to correctional institutions is fairly straightforward. Hard designs emphasize security hardware, electronic surveillance devices, bars, security glass, metal doors, and institutional furniture. Soft designs incorporate more natural furnishings and noninstitutional hardware. Visibility works against antisocial behavior and compliments a soft design. In addition, ownership of space works against antisocial behaviors. Sommer concluded that the soft design is a stimulus for more socially appropriate interaction.

Moos (1978) demonstrated that there are architectural correlations between living arrangements and adaptive behaviors of college students. In particular, Moos noted that private rooms and easy accessibility to activity areas enhanced the social climate. Werner and Olson (1980)

identified three factors in the assessment of physical environments of correctional facilities. Successful adaptation to a jail environment appears to be associated with a decentralized unit. In other words, activity areas and space for socialization are within easy access to inmate living units. Second, the percentage of private rooms is inversely related to behavioral disturbances. Finally, the authors noted that the soft environment described by Sommer produced the predicted results in a jail setting. In the examples cited by Werner and Olson, the symbols of incarceration associated with hard designs were substituted with an increase in the variety of colors, comfortable furniture, and carpeting.

The design research contains enough consistency that Farbstein, Werner and Gomez (1980) argued that architectural design is a critical variable in the setting and achieving of correctional goals. In fact, environmental problems serve as an indicator of program areas which are lacking control. Starting from the assumption that a total institutional requires some restriction of resident control, resident perceptions of choice and control over their immediate surroundings increase satisfaction and decrease destructive behaviors (Werner & Olson, 1980).

Fourth, responses to the physical environment vary according to individual and developmental needs. For example, Moos (1976) noted that males need more space than females. Sylvester, Reed and Nelson (1977) used the concept

of prison size as a measure of space. As the physical size of a prison increases, the number of homicides also increase. Werner and Olson observed that decreases in space through crowding lead to an increased rate of sick calls. Even in view of these findings, the more relevant distinction are those responses to the physical environment which vary according to age.

Foster, VanderVen, Kroner, Carbonara and Cohen (1981) examined the impact of the physical environment on children. Environment is viewed as a component in the process of learning the concepts of time and space. The authors noted that the largeness of an institutional environment often leads to confusion and anxiety. A poor arrangement of the facility due to a hard design or due to a stark and drab interior frequently produces discouragement in children. Smith and Jaworwski (1984) linked the physical environment with child development. They contend that particular developmental needs require specific conditions found in certain types of environments. For these reasons, Lewis (1984) asserted that ecological management is a particularly relevant component of all institutions for children since environmental conditions serve as a basis for combining program goals with child development goals.

Dimidjian (1983) developed and tested a model for assessing and improving the physical environments of preschool children. The underlying assumption is that programs which address all aspects of a child's capabilities

have a triadic combination. Noting that the child-environment interaction constitutes the basis of a child's development, the triadic combination includes a comprehensive curriculum, dynamic teaching, and a facilitating environment. To assess the environment, Dimidjian maintains that one must experience the environment. The benefits of a quality environment are: (a) children show a higher interest level, (b) children produce increased periods of self-sustained activities, (c) children show more independence, and (d) feelings of security and self-confidence also improve.

Provence, Naylor and Patterson (1978) addressed two perspectives on the physical environment as they relate to programming for children. These attitudes can be seen in correctional programs for juveniles. The first attitude is that any environment will do: success is a function of the quality of programs and the quality staff. This echos John Sheridan's comment that with the proper number of competently trained staff, he could operate a training school in tents. The second attitude is that a good physical environment is the number one priority for competent institutional programming. The authors do not resolve this conflict, but they offer a compromise which constitutes a third attitude. They conclude that the combination of a good physical environment with a good program and staff is the best option since a good physical environment will increase the effectiveness of both programs and staff.

Density and Behavior

Significant positive correlations have been demonstrated between density (the number of people per unit space) and the total number of assaults in a correctional facility (Jan, 1980; Gaes & McGuire, 1985; Megargee, 1977; Nacci, Prather & Teitelbaum, 1977). Each study also looked at mediating factors which could explain the variations in findings. For example, Nacci, Prather and Teitelbaum noted that the effects of density are aggravated with juvenile and young adult offenders. In other words, age appears to be a mediating factor. Megargee found future time perspective to be a mediating factor. In situations where release from incarceration is in the near future, fewer negative behaviors are reported regardless of the density factor. Jan implied that the relationship between density and misconduct varies according with the institutional type. This has a subtle implication, but it is consistent with the perspective of Scott (1981) who advocates that the environmental dimensions must be viewed as a whole. In this instance, other environmental dimensions serve as intervening variables which moderate or aggravate the effects of density on misconduct. Gaes and McGuire (1985) examined a wide range of variables affecting prison assault rates in 19 Federal prisons over a three year interval. Crowding proved to be the most important variable in determining assault rates.

Walkey and Gilmour (1984) compared interpersonal distance with violence in a prison setting. The authors

discovered a sequence of relationships. First, as interpersonal distance decreases, personal discomfort increases. It is the increase in personal discomfort that is positively correlated with an increase in violence. These findings have direct implications for the issue of density. As density increases, the chances increase that interpersonal distance will be decreased in a greater number of instances; thus, the decreased interpersonal distance leads to increased discomfort and increased probability that violence will follow. Regarding gender differences on the effects of density and misconduct, Loo (1972) reported that with young children, aggressive behavior in boys increased as density increased. Interestingly, girls' behaviors were unaffected by increases in density.

Density research has linked physical illness to concepts of crowding. Dubos (1965) reviewed the historical patterns in Western Civilization where crowding has led to disease. Dubos concluded that crowding affects the response of the individual and society, not only to resist infection, but also to cope with most of life's stresses. He referred to certain increases in morbidity as "crowd diseases." Given the crowded circumstances in correctional institutions (Schlesinger, 1987), Paulus, McCain and Cox (Cox, McCain & Paulus, 1985; McCain, Cox & Paulus, 1976; Paulus, McCain & Cox, 1978) examined illness reports in a county and federal correctional facility and found illness reports to be significantly higher among dormitories than in one or two-man

cells. In a second study, the authors conducted a broad survey of several prisons over a 16-year period and identified that mortality rates and psychiatric commitments were higher during periods of high population.

Density and juvenile institutions. The definitive work on density and its relationship to juvenile corrections is by Ray (Ray, Huntington, Ellisor & Prytula, 1978; Ray & Wandersman, 1981; Ray, Wandersman, Ellisor & Huntington, 1982). Ray's definition of density is from Altman's (1975) distinction between spatial and social density. Spatial density indicates a comparison of same-size groups in different-size spaces, whereas social density reflects a comparison of different-size groups in situations where physical space remains constant. As applied to juvenile detention, comparisons across facilities may incorporate issues of spatial density; however, internal comparisons for the purpose of generating QOL information are matters of social density.

Ray derives two underlying assumptions about density from previous research. First, the stimulus overload or stimulus reduction model (Altman, 1975) states that as density increases, social stimulation also increases. Increased social stimulation leads to stress which is manifested interpersonally and psychologically. The results of stress are a greater sense of confusion and a reduced ability to screen out irrelevant stimuli. The net result is that the individual is overwhelmed by the environment. The

second assumption is based on Baum and Valins' (1979) control model. In discussing both social and spatial density, the authors indicate that social density directly affects the number of potential interactions available to individuals. As density and interactions increases, the likelihood of unwanted encounters also increases. Increased social density increases the difficulty in avoiding and terminating unwanted interpersonal contacts. In effect, social density reduces personal control over social interactions. On the other hand, spatial density controls an individual's ability to regulate intimacy. Goal-oriented activities appear to be negatively correlated with spatial density. This may be due, in part, to a reduction in the number of behavioral options available to the individual. Based on their research findings, Baum and Valins concluded that the effects of social density are much stronger.

Ray's studies examined the effects of variations in the social and spatial densities on the social climate, the interpersonal relations, and the physiological responses of 115 institutionalized delinquent males. The research site was the group living units or dormitories at Spencer Youth Center, the largest training school in the Tennessee Department of Corrections. Ray measured social climate through (a) the use of the Correctional Institutions Environment Scale (CIES) (Moos, 1974), (b) a sociometric survey of the dorm, (c) ratings by teachers, and (d) bi-weekly measures of blood pressure. The results indicated

that there are significant effects for social density, spatial density, and the interaction of spatial and social density. No effects for blood pressure are indicated. Ray's studies are congruent with the Baum and Valins' control model and with Altman's stimulus reduction model.

Specifically, Ray advanced the following relationships. As social density increased, several variations in the subscale scores of the CIES occurred. For example, residents reported a reduction in the Order and Organization on the unit and a reduction in Staff Support. Increases were reported in the amount of Staff Control and in resident Expressiveness. Moreover, increases in social density were tied to increases in negative feelings about peers, child care staff, and program counselors. Spatial density issues applied to the classroom setting, and increases in social density produced reductions in classroom cooperation, reductions in involvement with peers, and poor grades. Although Ray contends that the social density effects are more significant, the interactive effects of social and spatial density exceeded the effects of social density. Ray (Ray, et al., 1982) states this effect as follows:

> The powerful interaction of the social and spatial density suggest that the influence of spatial density is heaviest when combined with high social density. (p. 105)

Undermanning. Barker (1968) and Wicker (1973) discuss the concept of undermanning, a situation in a behavior setting where there are insufficient participants to achieve

the goal or task associated with the setting. Wicker maintains that undermanning has an unsettling effect on normal coping behavior and that these behaviors are carried into other behavior settings. Since the correctional institution serves as a behavior setting, and since the operating capacity creates an expectation of a normal social density for staff and residents, the importance of the undermanning hypotheses apply to staff behaviors. First, the normal social density is altered when the institution is crowded. In addition to the effects noted by Ray, crowding increases the number of residents under one staff member's supervision and initiates the undermanning theory. Second, most institutions operate within an approved staffing ratio, i.e., one staff member may supervise 6-10 residents. Therefore, when a staff member does not report to work on short notice, such as, for illness, most institutions juggle staff coverage so that staffing ratios stay within the generally accepted range. This, too, initiates the undermanning process.

As correctional agencies face a situation where the demand for service exceeds the resources available, questions of optimization arise (Reich, 1977). For the correctional administrator faced with finite resources and a seemingly infinite need to provide services to more offenders, the question becomes: How far can the acceptable staffing ratio be stretched before problems occur? In the absence of any widely known research, correctional administrators have experimented with various staffing patterns

because of economic pressures and not due to the implications of the undermanning theory. However, Carbone and Lynch (1981) studied staffing patterns and staff disciplinary strategies in a juvenile detention facility. They found that once the ratio increased (as the number of residents under a staff member's supervision increased) above the institutionally accepted or homeostatic level, the undermanning theory immediately took effect in the form of increased uses of threats and harsher disciplinary action. Carbone observed these effects as soon as the increase occurred. The implications for resident well-being are straightforward. As staffing ratios increase, staff become more punitive which predicts a reduction in resident perceptions of well-being. There are, however, no other studies which have explored this hypothesis.

Psychological Impacts of Confinement

A common assumption is that confinement in an institution will have a negative psychological impact on individuals. Bukstel and Killman (1980) reviewed the literature relating to the specific relationship between incarceration of an individual and changes in psychological functions. They described corrections as a continuous and systematic destruction of individual self-concept. Their research indicates that confined individuals become more seclusive, disinterested in social relations, anxious, restless and irritable. Gibbs (1987) examined the effects of a jail environment on adult offenders and noted sharp increases in

symptoms of psychopathology during initial periods of confinement. Solitary confinement is associated with predominant feelings of helplessness and vulnerability (Benjamin & Lux, 1978). These feelings manifest themselves in extremely high rates of suicidal behaviors (Danto, 1973). All of these negative effects have been linked to the incarceration of juvenile offenders in both adult jails and juvenile detention settings (Cottle, 1969; Danto, 1973; Feher, 1984; Fetrow & Fetrow, 1974; Frazier, 1989; Lenz, 1942; Lucart, 1983; Norman, 1951; Pabon, 1983; Pappenfort & Young, 1980; Schwartz, Fishman, Hatfield, Krisberg & Eisikovitz, 1987; Warboys, 1984).

Caditz (1959) studied several issues relating to the effects of confinement on juvenile offenders. He noted that as the length of confinement increases, hostility and aggression among juvenile offenders also increase. Bukstel and Killmann reported similar findings where the institutionalization of juvenile offenders results in greater psychopathology and increased antisocial tendencies. Studies of delinquent and control groups indicate that the nondelinquent control groups show greater increases in autonomy. Caditz suggested that the natural maturation process in juveniles may be retarded due to institutionalization.

Hautaluoma and Scott (1977) found that delinquents identify more with their peer value system and less with the values of authority figures as the length of institutionalization increases. These findings confirm Polsky's (1962)

field study of the social structure of a boys training school where heterogeneous types of delinquent males formed a social structure based on power arrangements independent of the institutional program or organization. These findings were confirmed by Sieverdes and Bartollas (1986) and parallel the description of the social structure of training schools advanced by Barker and Adams (1959). Bartollas and Sieverdes (1983) found that this social structure was not ameliorated in coeducational institutions, and youth continued to report fear of sexual and physical assault associated with power arrangements. Lab and Whitehead (1988) in the most recent review of the correctional literature reported that the effects of juvenile treatment have basically remained unchanged. In conclusion, these findings affirm the presumption of harm doctrine which supports judicial intervention.

Contextual factors. Street, Vinter and Perrow (1966) created a typology of juvenile institutions based on the institutional goals and the corresponding methods of social control or behavior change. Emerging from this and other related research is the hypothesis that contextual variables, such as, institutional goal formulation and program strategies, affect the social climate by influencing staff behavior and attitudes (Feld, 1981). Contextual factors produce formal and informal institutional systems which reinforce certain resident and staff behaviors that have become associated with discernible types of youth

subcultures, institutional behaviors, and juvenile violence (Altfeather, Kantner & Zentner, 1980; Bartollas, 1985; Carbone & Lynch, 1983; Feld, 1981; Johnson, 1978; Lescheid, Jaffe & Stone, 1985; Polsky, 1962; Street, Vinter & Perrow, 1966; Toch, 1978).

The assumption that certain organizational factors can produce relatively predictable outcomes with incarcerated youth led to the development of a differential treatment strategy (Jesness, 1971, 1975, 1988; Palmer, 1984). Through the development of reliable classification tools, juvenile offenders are assigned to institutional settings where there is the best match between the needs of the youth and the changes in behaviors associated with the specific social climate. These contextual variables form the theoretical basis for comparative analyses of institutional effectiveness (Orsagh & Marsden, 1987; Sabatino & Mauser, 1978). DiIulio (1988) analyzed a single contextual variable of prison management styles and concluded that there was a direct effect on social climate, particularly violent behavior. Stated positively, contextual factors can be used to build an argument for environmental manipulations in the form of organizational and contextual development which increase resident satisfaction with institutional life.

Environmental model. The literature contains sufficient data to infer a strong and predictable relationship between certain environmental stimuli and certain individual behaviors. Therefore, environmental manipulations effecting

conditions of confinement could be made in such a way to elicit higher levels of satisfaction or well-being from those who are confined. Bernard and Joyce (1984) call this an environmental model of behavior. Thus far, the literature presents a picture where the individual is conceived as being reactive to a set of environmental influences. The counterargument views the individual as more active and, subsequently, less predictable. Bernard and Joyce call this the cognitive perspective. The uniqueness of the individual interacts with the environmental influences to produce greater variability in outcomes than is predicted by the environmental model.

Variability

Do the effects of conditions of confinement on aggregate assessments of well-being vary sufficiently to cast doubt on the causal nature of the relationship? There is little argument that variations occur in the presentation of empirical data. The analysis of the information in support of a sufficient level of variability shall employ three perspectives: (a) an empirical approach, (b) an experiential or phenomenological approach; and (c) a critical approach.

Empirical Variability

From a logical perspective, Toch (1977) presents a plausible theory that reactions to a prison environment are mediated by the individual's view of the environment. This theory has its roots in the ancient stoic philosophy of Epictetus who taught that it is not things that disturb man,

rather it is his view of those things. Ellis (1962) constructed a comprehensive theory of human behavior on these tenets and has documented its efficacy through extensive scientific research (Ellis & Grieger, 1977). Mahoney (1974) argued for a mediated model of Skinner's behavioral psychology. The persuasiveness of this paradigm led Bandura (1977) and Staats and Staats (1964) to support a mediated model which places greater importance on self-efficacy. Thus, if reactions to environmental stimuli are mediated by psychological processes, variability may accrue to significant levels. For example, many research findings contradict the previously mentioned support for the environmental model.

Density. Freedman (1975) observed that crowding occurs naturally without detrimental effects and that some situations of high density may even be desirable. He proposed that density serves to intensify an individual's typical reaction to the situation. He maintained that the literature was tenuous and confusing, so he tested the possibility of positive and negative intensification under conditions of high density. Structuring a success condition and a failure condition using a word transformation task, he found that subjects under the high density success condition actually did better on the task, liked each other more, and were friendlier than those in the low density success condition. The opposite results were obtained for density and failure. Even though the results are quite interesting, the design warrants a replication of the experiment.

Despite the consistency in the research on density and inmate violence, Bonta and Nanckivell (1980) reported no relationship between crowding and misconduct in a jail setting. Gibbs (1987) noted that in certain instances the initially elevated symptoms of psychopathology among jail inmates diminished or stabilized after about five days of incarceration. These results could be affected by Megargee's (1977) future time perspective since jail incarceration is known to be shorter than that of prison. However, when applied to juvenile corrections, both juvenile detention and training schools are short-term options when compared to the adult system. Therefore, care must be taken in the use of these results since one would expect the short-term nature of juvenile corrections to amplify Megargee's future time perspective and, subsequently, negate or diminish the anticipated negative effects of incarceration.

Institutional adjustment. In a study of two juvenile detention centers, Leschied, Jaffe and Stone (1985) noted that the conceptual levels, particularly mental maturity, of detained youth were more influential to positive adjustment than the environmental structures. They found an inverse relationship between cognitive functioning and the physical structure of the environment. The findings supported the hypothesis that juveniles differ in their ability to cope with similar environmental stressors. Based on cognitive functioning, environmental manipulation can be used to

increase adaptability to the institution. Cognitive functioning or maturity may serve as a perceptual filter with maturity and an autonomous institutional program contributing to the highest level of adjustment.

The question of the role of programming remains unanswered. While juvenile correctional practitioners and experts stress the importance of programming (ACA, 1983; Carbone, 1984; Hughes, 1971; Krueger, 1980; Morris, 1987; Norman, 1949, 1951, 1957, 1961; Perkins, 1968; Roush, 1984; Shireman, 1960; Simonsen, 1968; Tappan, 1951; Teeters & Reinemann, 1950; Williams, 1985), the belief in its importance is sustained more by phenomenological data than by empirical data. Due to the absence of research on this question, the popularity of programming is based on its logical appeal. However, when research implications are drawn from careful analyses of correctional programs, the "nothing works" assumption becomes more plausible as a counterargument (Martinson, 1974). In this vein, McCain and McNally (1980) noted no positive relationship between social programs and a decrease in the frequency of misbehavior in a prison setting. Instead, perceptions of freedom and increases in the amount of personal space appeared to maintain favorable behavior.

Social climate. In a study which closely relates to this research, the question was examined as to whether or not inmate attitudes and feelings would improve following a significant change in the jail environment. Houston,

Gibbons and Jones (1988) compared the social climate perceptions of jail inmates on a one-year interval in four jail environments using the CIES (Moos, 1974). Two inmate samples were drawn from two jail environments which remained unchanged during the study. These data formed the control group. The experimental group consisted of a random sample of inmates in a "fortresslike" jail scheduled for demolition and a second random sample of inmates, taken one year later, in the new, state-of-the-art replacement jail. The old jail had an extensive record of conditions of confinement complaints and litigations and was referred to as a poor example of a jail environment. Conversely, the new jail reflected the latest architectural innovations in jail design and construction. Given these changes and the assumptions of the environmental model, the authors predicted an increase in inmate satisfaction within the experimental groups. The results, however, did not support this prediction. Showing no changes in inmate responses to the CIES in any of the environments, Houston, Gibbons and Jones concluded that the data confirmed the suspicion that the physical attractiveness of correctional institutions has little to do with the attitudes that inmates have toward these places.

Ruiz. While these studies do not support an environmental where certain physical stimuli elicit relatively consistent behavioral responses from individuals or groups, they are limited in scope due to a restriction of either the

independent or dependent variable. Ruiz v. Estelle, F.2d 115 (5th Cir. 1982) provides a more representative approach. In this class action suit regarding conditions of confinement, the court ordered sweeping improvements in conditions of confinement. The threat to well-being had been established by the violence attributed to overcrowding and the use of prisoners as guards (Cohen, 1981). A list of other violations of inmate rights included sexual assaults, brutality, poor medical care, poor educational programs, and an atmosphere of fear (Marquart & Crouch, 1985). If these conditions were changed, the court reasoned that inmate well-being should improve.

Gulick (1987) criticizes the failure of Ruiz to improve the quality of life in the Texas prison system. Although the system has adhered to many organizational improvements, the brutality has taken new forms. Gulick rhetorically questions the ability of the courts to change the prisons. This criticism is echoed by Lopez (1988) in his account of the failure of the New Mexico prison system to respond to federal court decrees resulting from the 1980 riots. Both authors are skeptical about the ability of the courts to effect significant change in prison social climates given the lack of public support and financial resources for this type of reform effort.

While Marquart and Crouch (1985) agree that Ruiz has not improved the conditions of confinement nor the well-being of inmates, they view the Ruiz experience somewhat

differently. Court intervention created a post-Ruiz bureaucracy characterized by the administrative orthodoxy mentioned earlier. Emphasis was placed on means-oriented control mechanisms. The focus shifted to how control is affected as opposed to the extent that control is effective. The key issues became documentation, inmate rights, and policy and procedures. The legalistic style of the means-orientation appeared to many staff to take precedence over the actual effect or outcome of the control effort. As applied to bureaucratic dysfunctioning, the post-Ruiz era was an example of goal displacement.

Marquart and Crouch stop short of concluding that the administrative orthodoxy which results from court intervention (and from the accreditation process) is ineffective in changing the quality of life or social climate of an institution. However, they do provide a basis for the argument that the orthodoxy is not concerned with inmate well-being. Instead, the primary objective of the orthodoxy is to fulfill the normative and formalized requirements of acceptable institutional standards. As such, the compatibility of the cause-effect relationship between conditions of confinement and inmate well-being becomes a legal function, presumed to be effectual when the means-oriented components of the conditions of confinement assessment have been satisfactorily completed. Given the court's return to a restrained hands philosophy, one might predict that the orthodoxy would increase resistance to liability while not necessarily

reducing the causes of condition of confinement litigation. Thomas (1988) cites Illinois as an example where the prison system is accredited and is also the largest source of inmate litigation nationally. Is this litigation the result of the failure of accreditation to produce meaningful changes in QOL or is it the ongoing effect of jailhouse lawyers taking advantage of the law libraries and access to the courts which were established during the 1970s? Regardless of the answer, Thomas (1988:27) claims that inmate litigation is symptomatic of broader problems.

Empirical variability explains the difficulty in predicting individual and group behaviors under similar conditions of confinement as a function of two variables. First, the studies cited above all contradict the environmental model. Each of these studies reinforces the idea that reactions to environmental stimuli are mediated by psychological processes. Until these mediators are clearly defined, it will be difficult to predict individual responses and to establish the causal relationship outlined in Rhodes using a cognitive approach. Second, improving conditions of confinement through an administrative orthodoxy runs the risk of goal displacement. When this occurs, more attention may be paid to the process than to the outcome. Differences in outcomes can be explained through an appraisal of the amount of goal displacement present in the institution.

Experiential Variability

Based on extensive experience with the accreditation

process and with accredited institutions, I have found the ranges in QOL to be quite remarkable. These variations between accredited institutions prompted a trusted friend and competent auditor to renounce future involvement with the accreditation process. Others who have expressed their concerns to me about the differences between facilities have taken a very low profile in the auditing process. They have refused DSA requests to participate on the standards compliance audit teams for a number of contrived reasons. Even though I have difficulty understanding why the variability occurs, I am convinced that it does, indeed, exist.

Critical Variability

A critical approach attempts to deconstruct the hierarchy between the variables in the causal relationship (Culler, 1982; Leitch, 1983; Weick, 1967). The critical approach also promotes an alternative paradigm which, if it is sufficiently persuasive, may become the dominant method of explaining the relationship (Kuhn, 1962). To prevent the critical strategy from becoming merely a preoccupation with criticism, the critical strategy becomes a social project in the sense that it is equally intent upon the construction of the rival hypothesis as it is on the deconstruction of the dominant hypothesis (Cherryholmes, 1988). Due to the existence of variability, the critical approach looks at the failings in the causality principle to explain QOL and attempts to build an alternative model which would serve as a better explanation.

The first point of attack is the requirement in a causal relationship that the cause precede the effect; i.e., that conditions of confinement precede well-being. For example, the National Resource Centers (Office of Juvenile Justice and Delinquency Prevention, 1985) are used by ACA as a model for juvenile detention about the manner in which accreditation can produce an improved QOL, specifically an improved social climate (Roush, 1987). Of the four top-rated institutions in the initial selection process, only one institution (Jefferson County Detention Center, Louisville) supports the temporal ordering of cause and effect. Each of the other institutions had high levels of inmate satisfaction prior to entering into the accreditation process.

All three facilities had strong leaders who organized programs which were based on an open systems model and which emphasized the restoration of the youthful offender through a systematic and therapeutic interaction with staff. The best examples are N. H. Don Mead and Richard Kelley. Mead, director of the Berrien County (Michigan) Juvenile Center, established a model program for detained youth in the mid 1970s. As the program concept expanded, Mead (1980) blended Positive Peer Culture (Vorrath & Brendtro, 1974) with his own adaptations of a token economy to form the counseling economy. His program is still viewed as a leading model for detention facilities as evidenced by its current use as a technical assistance option by ACA and the Office of

Juvenile Justice and Delinquency Prevention. Similarly, Richard Kelley, director of the Wood Youth Center (Ft. Wayne, Indiana), has a national reputation as a program developer. His programs exceeded the ACA program standard, 2-8354, long before it was developed. When Don Hammergren and Jim Jordan collaborated with ACA in 1976-79 as the detention experts on the standards development committee, reference was made to Kelley's operations as a model program.

Finally, George Henchliffe, director of the Southwest Florida Regional Detention Center, developed a program in advance of the state's move toward accreditation which others in Florida referred to as their best program for kids. Henchliffe was unable to attain the same level of programming as Mead and Kelley because of the bureaucratic and financial constraints placed upon him by state government. The commitment of resources through the accreditation contract enabled Henchliffe's successor, John Criswell, to achieve numerous additional program goals. Mead, Kelley and Henchliffe directed programs which were uniformly viewed by detention experts as safe, secure and humane environments for youth. This reputation preceded the movement toward accreditation in each case, and each person commented about how far out of compliance his institution was at the onset of the accreditation process.

The Jefferson County (Kentucky) Juvenile Detention Center is an arguable example of the cause (organizational

climate development) preceding the effect (social climate development). The account of Earl Dunlap's transformation of an institution racked by scandal to a National Resource Center follows a progression which started with an intense period of policy development (Roush, 1986). The radical changes conceived by Dunlap and his supervisor, the Honorable Mitch McConnell (current U.S. Senator from Kentucky), required an organization climate which was legally acceptable. Because of the fear of litigation, it is possible that the particular ordering of events was more a response to the labor unions than to the concern over inmate well-being. McConnell was aware of Dunlap's reputation from Michigan where he ran a successful treatment-oriented detention program and was the leader of the Michigan Juvenile Detention Association (MJDA) at a time when program development in Michigan reached its zenith.

Spurious relationship. A spurious relationship is one in which a presumed relationship between two variables proves false due to the influence of an intervening variable(s) (Travers, 1969). The basic assumptions for holding the Rhodes relationship as spurious are described above where a potentially significant variable in each Resource Center was the leadership of the administrator. Is leadership the key variable in any model which attempts to explain variations in institutional social climates? Some research has concluded that leadership is the most important of the independent variables (Duffee, 1975, 1980). In a

recent analysis of a juvenile detention facility, Morris (1987) used a qualitative research strategy (Lightfoot, 1983) to study the dynamics of an effective program. Morris maintained that the critical variable in program development was the style of the leader. If this relationship is true, the causality principle in Rhodes would not be able to predict changes in social climate.

CHAPTER 5

Methods

Research Hypothesis

The diversity in theoretical and empirical explanations of the alleged relationship between the environment and human behavior warrants further investigation. Based on the popularity of the environmental model, its assumptions form the major research hypothesis. The courts and numerous researchers agree that conditions of confinement or designated environmental stimuli elicit consistent and predictable responses from incarcerated individuals. Rhodes states that the aggregated well-being of inmates is caused by the conditions of confinement. Thusly, the environmental model hypothesizes that changes in conditions of confinement have a direct and positive effect on aggregated perceptions of well-being by residents of that environment.

The major hypothesis predicts a causal relationship between conditions of confinement and well-being. Several research questions must be asked to satisfy the three conditions for causal inference (Hirschi & Selvin, 1967). First, does a relationship exist between the two variables, and what is the nature or extent of the relationship? Second, does a time sequence exist, or does the independent variable always precede the dependent variable? Third, is there reasonable knowledge that a third variable is not influencing the original relationship.

Multiple measures of the effect or dependent variable

provide a method of addressing the shift in levels of analysis set forth in Rhodes. Well-being is a subjective construct (Milbrath & Sahr, 1975), but it is routinely assessed by third parties to a conditions of confinement dispute. Standards compliance auditors and court-appointed special masters (monitors of a court order) evaluate resident well-being from a distal or other-defined perspective. Rhodes calls for a more proximal assessment, or one which emphasizes a beta press. This approach is inconsistent with the administrative orthodoxy which has characterized the symbiosis between the courts and acceptable correctional practice.

Proximal or beta assessments of resident well-being are expensive. The ideal strategy for data collection would be a series of intensive interviews in conjunction with extended periods of unobtrusive observations (Denzin, 1970). The time requirements combine with the expense of consultant fees to drive the costs into a prohibitive range for most institutions. In addition to cost, no standardized methods for interpreting interview and observational data exist for drawing conclusions about resident well-being. Proximal assessments which are unstructured lend themselves to criticisms that the cognitive sets of the investigators may be more influential to the conclusions than are the residents' perceptions. The compromise strategy in social climate evaluation is the use of a forced-choice questionnaire derived from extensive studies of well-being which is

administered to residents (McSweeny, Fremouw & Hawkins, 1982). The use of a survey instrument is based on the assumptions that empirical (distal) data can be employed to assess more qualitative (proximal) data. In other words, a triangulation of the research will be based on the multiple measurement of the construct of well-being where the two measures will aggregate residents' perceptions of satisfaction at different levels on the distal-proximal continuum.

Independent Variables

Defined as the global assessment of the state of or nature of confinement, conditions of confinement represent the set of independent variables. As detailed in the definition of QOL, conditions of confinement include the normative structure (Scott, 1981) or the organizational climate (James & Jones, 1976). Variables included in the normative structure or the organizational climate are rules, goals, organizational structure, physical environment, and organizational values or norms. Conditions of confinement also emphasize guiding principles derived from case law as reflected in ACA policy on conditions of confinement. These principles include the control of institutional capacity, the protection of resident health and safety, the maintenance of order and discipline, the provision of programs and services, and the presence of a humane environment.

A second independent variable derived from the review of the literature is density. As indicated by Ellis (1984), density appears to exert a direct influence on violent

behavior. While violence may be an indicator of institutional survival (Sykes, 1958), the conventional wisdom presumes that an environment characterized by violence lowers resident perceptions of well-being. For this reason, density is included in the set of independent variables.

The third independent variable is the staffing ratio or the number of residents assigned to the direct supervision of one line worker on a program or waking-hour shift. Based on the undermanning theory of Barker (1968) and Wicker (1973), a strong relationship is predicted between the number of controlling agents in a behavior setting and the behavior of those who are being affected by this control. Carbone's (Carbone & Lynch, 1981) preliminary inquiries into this subject also warrant further investigation.

In summary, three independent variables are identified. First, a global assessment of conditions of confinement reflects the organizational climate of the institution with additional emphasis on those correctional conditions identified by the courts as causal to inmate well-being. Second, social density is linked to violence and, therefore, predicts a reduction in well-being. Finally, staffing ratios are used as an indicator of how the environment or behavior setting is manned. Research findings support the influence of each variable on individual behavior using an environmental model.

Dependent Variable

The dependent variable is the aggregated perceptions of

well-being by institutionalized juvenile offenders. Well-being comprises one half of the variables constituting QOL. Studies of well-being describe this variable as the psychosocial climate (Moos, 1975), the psychological climate (Jones & James, 1979) or the behavioral structure (Scott, 1981). In each instance, the individual's perceived satisfaction with both the organizational climate and the interaction between participants yields a measure or quality of well-being. Well-being assessments include measures of mental, physical and emotional functioning.

Extraneous Variables

The goal of research is the ability to make controlled inferences about the relationship between independent variables and dependent variables. Extraeous variables are variables which are outside of the experimental model, yet these variables may confound the nature of the relationship or they may account for greater variations in the dependent variable than do the independent variables. For these reasons, extraneous variables identified in the theoretical description of the experimental model are held constant or controlled so that changes in the dependent variable are explained by the model.

Variables identified in the literature review as extraneous are: age of offenders, length of confinement, geography, size of the institution, and the leadership of the institutional administrator or superintendent. Even though individual characteristics, such as, age, sex, and

race, have low correlations with social climate perceptions (Castro & Kiely, 1977), four of these variables are controlled by sampling and experimental procedures; the uncontrolled variable is leadership.

Research Design

The research design is a combination of a correlational design (Isaac & Michael, 1971) and a causal-comparative design (Van Dalen, 1962). The design is correlational because it investigates the extent to which variations in one factor correspond with variations in one or more factors based on correlation coefficients. This approach is appropriate because the dependent and independent variables are very complex; and as ex post facto research, the variables do not lend themselves to a true experimental design (Isaac & Michael, 1971:21). This design does permit the assessment of several variables and their interrelationships in an applied setting.

The design is causal-comparative because it searches the data for plausible causal factors. The data are collected after the critical events have occurred in each setting. It is not the intent of the research to manipulate the independent variables, rather it is important that the sampling procedures reveal variability in the independent variables. The causal-comparative strategy is particularly relevant since (a) Rhodes postulates a causal relationship and the major hypothesis incorporates the causal conditions of Hirschi and Selvin (1967), (b) it is not possible to

manipulate conditions of confinement directly to study the effects on well-being, (c) there is no way to control all independent variables without preventing the normal interaction of other influential variables, and (d) the absence of any prior research stresses the importance of useful information about the nature of the presumed relationship.

The weaknesses of these design strategies are related to their relevances. For example, the inability to manipulate the independent variables means that all plausible rival hypotheses must be ruled out before conclusions can be successfully justified (Isaac & Michael, 1971:23). There are no guarantees that the model of the relationship includes the relevant causal variables. The importance of theory enters the design process by identifying the critical variables. The data are meaningless in the absence of theory (Hanushek & Jackson, 1977).

Triangulation. Webb (1970) recommends "multiple operationalism" as a method to increase the meaning or understanding of a variable. He continues that "it is appropriate to draw simultaneously on multiple measures of the same attribute or construct" (p. 449). As indicated in the minor hypothesis, two perspectives will be used to analyze the dependent variable, well-being. Defined as data triangulation, this approach uses more than one way to test the relationship and to establish the meaning of the dependent variable. The two methods will include an empirical

strategy employing a survey instrument to be completed by the resident sample and a qualitative strategy using an intensive interview (Lofland & Lofland, 1984). The greater the triangulation, the more confidence can be placed in the data (Denzin, 1970:472). Additionally, multiple measures are necessary to test the minor hypothesis that empirical data can be used to estimate qualitative data regarding resident perceptions of well-being.

Sampling Procedures

The sampling procedures include a variety of different strategies. Because this research is of an exploratory nature, it is important to stay close to the data. Sample sizes between 10 and 30 have the advantages of being easier regarding data collection, analysis of the data, and decisions regarding statistical significance. Because significance is easier to achieve as the sample size increases, questions do not arise from small samples about diluting the effect of the independent variables in making a practical difference on the dependent variables (Isaac & Michael, 1971). Small sample sizes are also more economical, especially when the settings for data collection are spread over a wide geographic area. Proximity has been a legitimate rationale for purposive sampling in various research strategies (Webb, 1970). These factors serve as the explanation for the small number of juvenile correctional facilities in this study.

Purposive sampling. A non-random sampling is employed

to control extraneous variables. For example, since age has an effect on perceptions of institutional well-being and since there is a very narrow range in ages within a juvenile institution, subjects are drawn from a pool of residents ranging in age from 14 through 17 years old. Although there are no studies to confirm or dispute this approach, it assumes that this narrow range in adolescence holds the age factor constant as changes in the environment are assessed.

Size of the institution is an important extraneous variable. The literature in organizational psychology supports the notion that organizational climate is affected by organization size (James & Jones, 1976). Practitioners also speak about increased complexity in institutional management as size increases. In addition, most large institutions are located in urban areas where offender problems are viewed as more acute and more antisocial. However, there is a more important reason for controlling the size of the institutions in the sample. Hughes and Reuterman (1982) reported that the majority of the juvenile detention facilities in a national survey was under 50 beds capacity. Michigan has 20 facilities which average 40.2 beds capacity. Current building trends emphasize small, workable sizes for regional and decentralized institutions where capacities range from 20 to 40 beds. Therefore, to control for institutional size and to assess those facilities which are most representative of juvenile detention, institutions in the sample shall be near 40 beds capacity.

Gibbs (1987) and Dembo et al (1987) identify a period of adjustment to short-term incarceration, after which the initial negative effects are stabilized or neutralized. In both studies, reference is made to changes in psychological and emotional functioning which predicts an immediate and direct impact on such perceptions as well-being. To control for this period of adjustment, subjects are selected who have been detained in excess of the 96-hour threshold (Dembo et al., 1987:314). The purpose of this study is to evaluate the relationship between conditions of confinement and perceptions of well-being not initial reactions to confinement.

Finally, considerations surrounding geography and proximity combine to guide the selection of institutions. Krisberg and Schwartz (1983) advance the argument that juvenile court dispositions, as measured by length of incarceration, are a function of geographical location. Underlying their findings is an assumption about ideology by geography. Hughes and Reuterman (1982:8) report significant differences in certain detention practices based on regional or geographical comparisons. If the values placed on juvenile offenders and their conditions of confinement can fluctuate based on region of the country, then it becomes advisable to limit an exploratory study to one region. Proximity also supports this rationale. Thus, the institutional settings are drawn from a four state area including Indiana, Michigan, Ohio and northern Kentucky (Louisville). These Midwestern states are frequently grouped together

because of their common detention practices.

Variability. My knowledge of the various institutions in this Midwestern sample allowed me to select settings which have large variations in the independent variable. For example, three of the institutions are fully accredited through ACA. One additional facility is in the final stages of accreditation. Conversely, two institutions have been the site of recent resident management problems ranging from staff assaults and riotous behavior to resident suicide. These problems imply that the conditions of confinement are opposite of those in the accredited institutions. Given this alleged range in conditions of confinement, a sufficient amount of variation in the independent variable is also presumed.

Settings

Data collection occurred in 10 juvenile detention centers located in four Midwestern states. Criteria for site selection included (a) proximity, all institutions are within a one-day drive from Calhoun County (Michigan), (b) size, institutional capacities range from 27 beds to 59 beds, and (c) status with the ACA accreditation process, where one-third of the settings have achieved full accreditation. Once the institution was identified as a possible research setting, a letter was sent to the agency director which explained the nature and scope of the project and requested permission to conduct the research. A sample copy of the letter is included in Appendix B.

Upon receiving confirmation from the agency administrator that the residents and staff would participate in the research, questions were asked regarding the best times to conduct the study so as to minimize program disruption. Once a date and times were agreed upon, the name of the investigators was given to the administrator. The terms of the agreement include the following stipulations: (a) The research does not compare one institution against another, so no identifying information other than institutional capacity appears in the dissertation. (b) Data for the institution plus an interpretation of the data will be available to the institutional administrator upon request. (c) All identities of subjects, including staff and residents, shall be anonymous. (d) All participation must be voluntary with a commitment that no sanctions be applied for a refusal to participate in or to complete the data collection activities.

Subjects

Three groups of subjects were used for data collection. In each case, the sampling procedures were purposive since they included certain criteria which restricted the selection process. Described below are the methods used to select each subject group.

Juvenile offenders. The dependent variable was derived from data collected from juvenile offenders in each of the detention facilities. Prior to the data collection at each research site, the administrator or a supervisor compiled a

list of juvenile offenders who met the following criteria: (a) detention was based on a valid court order for a delinquent offense, (b) detainees were between 14 and 17 years old, (c) the length of detention exceeded four days, and (d) detainees were willing to participate voluntarily in the research. These juveniles constituted the subject pool for each facility.

An explanation of the research was read to members of the subject pool. The explanation summarized the purpose of the research, explained the concept of anonymity, indicated that not each member of the subject pool will be selected as part of the experimental sample, and asked that anyone who did not wish to fully and freely cooperate to indicate these intentions. A copy of this explanation is enclosed with the materials in Appendix B.

The first experimental sample was drawn from the pool of volunteer subjects based on the size or capacity of the detention facility. Because the survey instrument is reliable when administered to as few as 25% of the institutional population (Moos, 1975:51), sample size was determined by multiplying the capacity by .25 and then rounding any product which was not a whole number to the next larger whole number. Once the sample size had been computed, each member of the volunteer pool was assigned an identifying number. The sample size plus two additional subjects were randomly selected from the pool of volunteers. The two additional subjects, who were the last two drawn, served as

alternates to the experimental sample, and their scores would be used only if a member in the experimental sample did not complete the survey instrument correctly or if a member decided to drop out of the experiment prior to its conclusion.

The second stage of data collection for the dependent variable involved the intensive interview. A total of eight juveniles were drawn from the initial experimental sample. Interviewees were selected at random by having each member of the first experimental sample draw one card from a regular deck of playing cards. The second experimental sample was the eight subjects holding the eight highest cards as defined in the rules for contract bridge. The size of the intensive interview group is based on personal experience with adolescent groups and the recommendations of Shaw (1976:381).

Staff. The third group of subjects consisted of those staff members scheduled for the waking hour or program shifts on the days when the on-site visits occurred for each detention facility. From this group, ten staff members were randomly asked to respond voluntarily and anonymously to a survey regarding their attitudes toward juvenile offenders.

Measures and Data Collection

Experimenter Training

Data collection was conducted by at least one experimenter. Qualifications for experimenters include full endorsement by ACA as a standards compliance auditor. In

addition to the ACA endorsement which includes three days of auditor training, each investigator has completed at least three standards compliance audits. Also, each investigator possesses an earned M.A. in the social sciences with at least three credit hours in interviewing or counseling skills. Finally, investigators have a minimum of five years of experience working with juvenile offenders in a detention setting.

Independent Variables

The independent variables in the experimental model include conditions of confinement, density, and the number of staff providing control for each behavior setting. Each of these dependent variables will be operationally defined by those measures used for data collection.

Standards compliance audit. Conditions of confinement as a global assessment of the institutional environment is expressed by the percentage of compliance with applicable ACA standards (1983). This percentage will be computed by the following formula: (N - NA)/C, where, N = the number of standards, NA = the number of non-applicable standards, and C = the number of applicable standards which is in compliance. The percentages for the 20 categories of standards can be computed using the same formula. The same process applies to the special designation of mandatory standards.

The data collection process follows the procedures for the standards compliance audit which are outlined by the Commission on Accreditation for Corrections (1984).

Following an initial interview with the agency administrator, a complete tour of the facility is conducted so that the investigator may become familiar with the physical plant and experience the environment directly. Following the tour, the investigator thoroughly reviews and evaluates the policies and procedures of the agency with regards to interpretation of the ACA standards (1983).

The critical issue in the interpretation of standards is whether or not the agency provides sufficient documentation to warrant a finding of compliance. The Commission on Accreditation for Corrections (1984:12) provides guidelines for the review of documentation. First, all standards requiring written policy and procedure are supported by primary documentation, such as, written policy and procedure, and by secondary documentation, such as, additional written records or logs which indicate that the policy and procedure have been implemented. Second, verbal documentation alone is insufficient to confirm compliance with the standard. Third, relevant documentation shall be evaluated according to the "Suggested Documents for Standards Compliance" located in the reference section of the Consultant's Manual (Commission on Accreditation for Corrections, 1984). Finally, standards are to be interpreted strictly.

Standards compliance is evaluated in an organized fashion through the use of the standards compliance check list (Appendix C). Totals for all categories of responses

are logged on the standards compliance form (also in Appendix C) which permits the calculation of compliance percentages for each of the topic categories within the standards. This detailed analysis of percentage compliance provides additional information for further analysis of a potential relationship between conditions of confinement and resident well-being. During this process, the investigator verifies the implementation of policies and procedures by direct observation, interviews with staff, and interviews with residents.

Density. Social density is a relative measure of institutional crowding (Ray et al., 1982). For the purposes of this study, density is defined as the amount or proportion rated capacity used during normal operations. Because the effects of high levels of social density may take some time to develop, the measurement of an institution's density shall be based on the average daily population. This figure is calculated by dividing the total number of days care for one year by 366. The percent of capacity is the average daily population for 1988 divided by the rated capacity.

Staff ratio. Staffing patterns are defined as the number of residents assigned to the supervision of one direct care worker (non-supervisory) for an afternoon or non-school, waking hour shift (3:00-11:00 pm or 4:00-12:00 pm). Operationally, this variable can be quantified by the following forumla: S = A/B, where, S = the total number of residents under the supervision of one direct care worker,

A = the average daily population for the facility for 1988, and B = the number of direct care staff assigned to the non-school, waking hour program shift. The number of staff is ascertained by asking the institutional administrator and by counting the number of workers assigned to the shift.

Attitudes Toward Prisoners (ATP) modified. The extraneous variable of leadership is difficult to measure. Street, Vinter and Perrow (1966) maintain that the ideology of the chief executive officer will affect the interaction between staff and residents. The assumption is made that a strong and positive leader will influence the attitudes that staff take toward residents (Feld, 1981). Furthermore, staff attitudes play an important part in changing residents' behaviors (Glaser, 1980; Grant, Knight & Granvold, 1984). Therefore, staff attitudes are viewed as a proxy measure of the leadership dimension.

Melvin, Gramling and Gardner (1985) constructed and validated a 36-item scale entitled Attitude Toward Prisoners (ATP) which assesses personal evaluations of inmates. The scale uses a five-point Likert-type response system where staff choose varying degrees of intensity on a scale ranging between extreme agreement versus disagreement. The scores of these responses for each separate item are summed and averaged.

To test the validity of the scales, Melvin et al. used the method of contrasted groups. For example, groups overtly favorable to treatment and rehabilitation programs for

offenders should score higher on the ATP than those groups who are pessimistic about a criminal's ability for change. In this regard, the authors pitted a prisoner rehabilitation group against a group of correctional officers and a group of law enforcement officers. The differences in average scores were statistically significant in the direction predicted by their hypotheses.

The ATP was modified by Mary Stelma and me for use in a research project for the National Juvenile Detention Association (Roush & Stelma, 1986). The modification took two forms. First, all references to adults were changed to juveniles. Second, references to inmates and prisoners were substituted with residents. The ATP modified is presented in Appendix D.

The ATP can be administered individually or in a group. The scales take a staff member about 15 minutes to complete, and they should be given in an area that is free from distractions or provides some privacy. A total of ten staff members who have direct contact with juveniles will be randomly and voluntarily chosen from those staff on-duty on the days when data collection occurs.

Dependent Variable

In recent years, significant progress has been made in the area of program evaluation and assessment of treatment environments within correctional facilities (Johnson, Rusinko & Girard, 1976, 1980; Magura & Moses, 1984, 1986; McSweeny, Fremouw & Hawkins, 1982; Moos, 1974, 1975, 1976;

Ray et al., 1982; Sechrest, White & Brown, 1979; Toch, 1977; Wright, 1985). Much of this work addresses the definition and measurement of the social climate, particularly the participants' perceptions of the quality of interactions between participants, the social setting, and the physical environment. From these studies, three measures have been chosen to represent the dependent variable. The first two measures are combined to form the distal assessment of well-being mentioned above. The final measure provides the structure and enumeration criteria for the intensive interview.

Correctional Institutions Environment Scales (CIES). The primary measure of well-being will be the summed mean scores from each of the nine subscales on the CIES (Moos, 1874). Several factors recommend the use of the CIES in the study of social climate: (a) The CIES enjoys widespread use and support as an appropriate instrument to measure social climate (Duffee, 1980; Houston, Gibbons & Jones, 1988; Moos, 1975; Moos, Clayton & Max, 1979; Shinn, 1982; Wright, 1979a). (b) An underlying assumption of the CIES is environmental press (Murray, 1938) which is an earlier formulation of the environmental model. The presumed causal relationship in Rhodes describes an environmental model. (c) The compatibility with Rhodes continues through Moos' use of the logic of "perceived climate" whereby the aggregated perceptions of the participants are used to represent one characterization of the social climate (1975:19). (d)

The cumulative effects and totality of circumstances doctrines are combined with the accreditation criterion of measuring the history of organizational development to form a requirement that any assessment device be stable over time. The profile reliability coefficients are in the .95 range for retests after one and two months (Moos, 1975:45). (e) The CIES is compatible for use with juvenile offenders (Ray et al., 1982). (f) The CIES shows the least distortion, meaning those attempts on the part of residents to make the social climate appear overly positive or negative, when it is administered with subject anonymity (Moos, 1975:53).

The CIES is a 90-item, true-false instrument with nine subscales (Appendix E); the subscales represent three major dimensions of social climate. The first is the Relationship dimension which includes subscales for Involvement (I), Support (S), and Expressiveness (E). The second is the Treatment dimension which includes subscales for Autonomy (A), Practical Orientation (PO), and Personal Problem Orientation (PPO). The last is the Systems Maintenance dimension which includes Order and Organization (OO), Clarity (C), and Staff Control (SC). Appendix E gives descriptions of the subscales as found in the CIES Manual. Subscales are scored positively. The higher the score, the more that subdimension is perceived to be present in the environment. All subscales are described positively except staff control where a low score is associated with high

levels of well-being (Shinn, 1982).

The juvenile offender sample size determinant for each institution is based on Moos' investigations of test reliability for juvenile correctional units of varying size. Moos found that for institutions with 40 or more residents, a random sampling of 25% of the population produced subscale means which correlated significantly (all coefficients exceeded .90) with the population subscale means. Moos concluded that a 25% random sample is highly adequate to characterize the social climate of a juvenile correctional environment (Moos, 1975:51). An exception was made for institutions with fewer than 40 residents. In these instances, Moos recommended 50% samples.

Moos (1975) presents extensive data on the reliability and validity of the CIES. The data are impressive; however, Wright (1979b; Wright & Boudouris, 1982) criticizes the CIES by stating that it assesses only four components of the social climate. The concern about validation studies led Ray to replicate the interclass correlational studies for the CIES with juvenile delinquents. His results confirm Moos' conclusions.

Contextual (CNTX) dimension. While Wright fails to show that Moos' conceptualization of the social climate is inadequate, he does make a persuasive argument that the theory underlying the CIES is incomplete. Wright bases his criticisms of the CIES on Toch's transactional model (1977) and his contextual view (1978). Toch's analysis of a prison

environment identifies several hypothetical concerns for inmate survival. Each variable is derived from inmate perceptions, i.e., the concerns are actor-defined. Toch's variables are very similar to the issues contained in the guiding principles set forth by the Supreme Court which define the basic human rights guaranteed under the Constitution to those who are imprisoned.

Toch's environmental concerns are as follows: privacy, physical safety, structure, support, emotional feedback, social stimulation, activity, and freedom (1977:16). Appendix F gives descriptions of these variables. A comparison with the nine CIES subscales reveals considerable overlap with four of Toch's variables. Specifically, variable/subscale descriptions define identical constructs for (a) structure/Clarity, (b) support/Support, (c) social stimulation/Involvment, and (d) freedom/Autonomy. The remaining four variables are sufficiently different from any of the remaining CIES subscales so as to warrant special consideration. These concerns (activity, emotional feedback, privacy and safety) comprise the Contextual dimension of social climate.

The variables in the Contextual dimension focus on basic constitutional issues. For example, activity becomes a measure of idleness and boredom; emotional feedback focuses on creating and sustaining emotional ties with significant others; privacy reflects an inmate's ability to be alone and free from disturbance; and safety is a measure of an inmate's psychological and physical freedom from fear.

These variables express quite directly the critical effects of conditions of confinement on inmates.

The development of a set of test statements to comprise the Contextual dimensions followed several steps. Since Toch's Prison Preference Inventory (1977) depends upon inmate responses to a series of open-ended questions, these questions were reviewed and analyzed from the perspective of a juvenile correctional institution. A list of statements was drawn from these questions. Next, the list of statements was compared to the Prison Environment Inventory (PEI) developed by Wright (1985) using Toch's model. PEI statements relating to autonomy, emotional feedback, privacy and safety were compared with those statements derived from the Prison Preference Inventory. Since both lists were distilled from Toch's work, there were numerous similarities with the primary difference being the distinction between adult versus juvenile facilities. A total of 88 test statements were developed.

Only ten statements for each subscale were selected so that the Contextual dimension would be compatible in form and format with the CIES. To select the ten best questions for each concern, 20 juvenile offenders were given a list of Toch's variables which was similar to Appendix F. Each concern and its definition were assigned an identifying symbol, and the juveniles were instructed to use this definition sheet as a reference for identifying the theme or subject matter for the test statement. The list of test statements

was then read, and each juvenile placed on an answer sheet the symbol of what he or she thought to be the theme or subject matter of the statement. Each statement was then assigned a score which represented the percent of resident agreement with the concern expressed in the statement. Statements with a score lower than 90 percent were eliminated from further consideration.

Following a content analysis of the Prison Preference Inventory, statements within each variable were grouped according to identifiable subthemes; and a corresponding proportion of the variable was computed for each subtheme. The remaining test statements were then grouped according to their variable and distributed within the variable according to the proportions derived for each subtheme. The ten statements with the highest percentage of agreement within each subtheme were selected to constitute the subscale. This process was repeated for each of the four subscales of the Contextual dimension.

Using a different sample of 20 juvenile offenders, the Contextual dimension was administered on two occasions at a two-week interval. Test-retest reliability coefficients were significant for each subscale (Table 1). Internal consistencies for the dimension also demonstrated a significant correlation ($\underline{r} = .99$; $\underline{p} < .01$; $\underline{df} = 38$) using the Kuder-Richardson formula No. 20 (Anastasi, 1976).

The Contextual dimension (CNTX) is a 40-item, true-false instrument with four subscales (Appendix g); the

Table 1

Test-Retest Statistics for the Contextual Dimension Subscales

Subscale	Test Mean	S.D.	Retest Mean	S.D.	r
Activity	6.90	1.29	6.60	1.50	.63
Emotional Feedback	6.35	2.03	6.00	1.75	.81
Privacy	5.20	2.04	4.55	1.88	.67
Safety	5.50	1.73	5.05	1.64	.81

Note. In both tests, $n = 20$. For all correlation coefficients, $df = 18$ and $p < .01$.

subscales represent one additional dimension of social climate. This dimension includes subscales for Activity (A), Emotional Feedback (EF), Privacy (P), and Safety (S). All subscales are scored positively; the higher the score, the more that subdimension is perceived to be present in the environment.

Administration of the CIES and CNTX. Following the random selection of each juvenile offender sample group from the pool of voluntary participants, the administration of the CIES and CNTX takes place in a large room, e.g., a classroom or dining room, where there is ample space for juveniles to sit at a desk or table comfortably without anyone next to them. The room also affords privacy and is relatively free from distractions.

The experimenter will explain to the group that they are participating in a research project about juvenile institutions in general. Their institution has been chosen because it represents a typical juvenile detention facility. Since all responses to survey questions and interview questions are anonymous and private, there will be no way for staff or administration to know how individual members responded. There will be no direct feedback to staff about experimental data. For these reasons, it is important that juveniles respond honestly.

The experimenter will then present the instructions. Each statement and its number will be read twice by the experimenter. Juveniles are to answer each statement as

either true or false. If they are uncertain, they should ask themselves if the statement is mostly true or mostly false. Each statement must be answered. Juveniles may ask questions to clarify the meaning of the statement. Following the explanation of the sample questions, the process begins. Completion of the social climate scales takes about 45 minutes.

Child Well-Being Scales. The Child Well-Being Scales (CWBS) developed by Magura and Moses (1986) are a set of standardized outcome measures specifically designed to assess client satisfaction with child welfare services. There are 43 separate scales, each with seriousness scores which measure the potential risk of each subscale topic area to a child. Thirty scales were selected for use in this study because of their applicability to a juvenile institution. These scales were modified so that (a) environmental references to a child's home are phrased so that they address similar institutional issues and (b) references to parents/custodians become references to direct care or child care staff. These scales are described in Appendix H. A complete description of the CBWS is too lengthy to present in this study, but it can be found in Magura and Moses (1986:83-154).

The CBWS provides the structure for the intensive interview. Each scale has three to six specific measures of seriousness which constitute subscale themes. These seriousness factors form the basis for open-ended questions.

Follow-up questions will be asked to clarify and to elaborate responses. From this interaction, the experimenter will determine the dominant subscale theme presented by the group of residents.

Scoring for each scale will consist of two parts. First, the number associated with the dominant subscale theme will be determined through the interview process. Second, using the CWBS scoring matrix (Table 2), the score will be adjusted either upward or downward depending upon the number and direction of resident disagreement with the dominant theme. The CWBS score will be the total of the 30 scales. Due to the structure of the seriousness scale by the authors, an indirect relationship exists between well-being and numerical values, the lower the score, the greater is the perception of well-being.

Data Analysis

Data analysis depends upon the measurement scales used to derive the numbers which represent the independent and dependent variables. The majority of data represent an interval scale. Interval data have equal differences between numbers or scores which reflect an equal difference in the amount of the attribute measured. The zero point on an interval scale is arbitrary and does not reflect the absence of the attribute (Glass & Stanley, 1970:12). The following variables are represented by interval data: the standards compliance audit, density, Attitude Toward Prisoners modified, the Correctional Institutions Environment Scales, the

Table 2

Child Well-Being Scales Adjusted Scoring Matrix

Scale Seriousness Rating	Number in Disagreement			
	0	1	2-3	4 or more
1	0	0	±1	±2
2	0	0	±2	±3
3	0	±1	±2	±3
4	0	±1	±2	N
5	0	±1	N	N
6	0	0	N	N

Note. N = New Scale Seriousness Rating. At this point in the scoring process, a new rating should be considered.

Contextual dimension subscales, and the enumeration of interview results using the Child Well-Being Scales. The staffing ratio variable, which measures the number of juveniles under the direct supervision of one staff member, uses the ratio measurement scale which has the same characteristics of the interval scale except that it has an absolute zero. A measurement of zero on the ratio scale indicates the absence of the attribute being measured.

Correlational Analysis

Rhodes postulates a cause-and-effect relationship between conditions of confinement and inmate well-being. Since causal relationships are always correlated, the correlation coefficient becomes the first measure to test this presumed relationship. A correlation is a means of describing covariances. Covariances measure mutual variation between two variables. One major problem with covariances is that they depend on the amount of variation within each variable as well as the amount of covariation between the variables. To eliminate this problem, covariances are standardized to arrive at a correlation. The appropriate correlational technique for the independent and dependent variables in this study is the product-moment correlation (r) (Glass & Stanley, 1970:109).

Correlational data will be presented through the use of a zero-order correlational matrix. The matrix will compare aggregated data plus subdimensional and subscale data for each dependent variable with the independent variable

percentages of total standards compliance, density, and staff ratio. Two levels of statistical significance will be used, a confidence level of 95% and a confidence level of 99%.

Regression Analysis

Correlation provides little information on the magnitude of a relationship. It does not indicate how much the dependent variable changes as the independent variable(s) changes. Correlational data focus on the line of best fit. Correlations are sample specific and depend upon the standard deviations of variables.

Even though Rhodes presumes a causal relationship, the explanation of the effects of conditions of confinement on well-being does not constitute a deterministic model. Despite the additional implications of accreditation, the research on the environmental model would predict the existence of multiple variables which affect inmate perceptions of well-being. As a result, a stochastic model has been developed to explain the relationship identified by Rhodes. A stochastic model assumes a certain amount of unexplained or random error because (a) all models are incomplete, (b) measurement errors are ever present, and (c) there is error likely in the specification of the relationship.

Multiple regression is an appropriate statistical technique for testing a stochastic model with multiple independent variables (Hanushek & Jackson, 1977). Regression tests for lineal relationships. It breaks down the independent

variables into systematic and random effects and permits the estimation of how much variance in the dependent variable the model explains. Regression allows for the assessment of the relative magnitude of the effects of different independent variables. The coefficient of estimation measures the effect of one independent variable on the dependent variable while controlling for all other independent variables.

A multiple regression analysis will be used to test the adequacy of the causal model predicted by Rhodes. Several regressions will be run. Primary concern will center on the establishment of coefficients of estimation using the three variables which comprise the independent variable (standards compliance audit, density, and staff ratio). The dependent variable will be the combined CIES and CNTX scores. Using interpretation techniques and hypothesis testing strategies for regression (Hanushek & Jackson, 1977), the adequacy of the model will be evaluated; and variations on both the independent and dependent variables may be employed to improve the adequacy of the model.

The computer program for multiple regression analysis provides three statistics to interpret the model. The printout includes the coefficient of determination (R-squared), t values for each regression coefficient, and the F-statistic. Hypothesis testing is a function of these three statistics. First, the coefficient of determination measures the proportion of the variance in the dependent variables which the model explains. It is the common

measure of the strength of the relationship. Presuming a causal model, the explained variance in the dependent variable should be very high. Based on a correlation coefficient of .90, an equally strong coefficient of determination would exceed .80 (Isaac & Michaels, 1970).

Low coefficients of determination have different meanings, but one meaning is that the model is misspecified. Either extraneous independent variables have been included or relevant independent variables have been excluded. The ability of the model to predict the dependent variable is most easily gauged by changes in the value of R squared. Therefore, the other two statistics become valuable in testing a variable(s) value to the model. The t-test provides a measure of the strength of the regression coefficient. If the value of t falls below the critical value for a significance level of .05 or .01, the implicit null hypothesis that the true coefficient is zero is accepted; and the model is reestimated by omitting the variable (Hanushek & Jackson, 1977:94).

Changes in the model raise questions about whether or not the new set of variables is significant. If the regression coefficients covary, as is almost always the case, they need to be tested all at once. To test the significance of the new set of variables, it is necessary to compare the variance explained by the model without these variables to the variance explained with them. If the null hypothesis is true, an insignificant change in the amount of explained

variance should occur. The F-statistic is the appropriate test. The F test is applied to all variables and serves as a comparison between the model and the mean of the dependent variable as a predictor. In this regard, the F-statistic is similar to R-squared except that the F data can be compared to critical values on the F distribution to make judgments about the null hypothesis at the .05 and .01 significance levels.

These three statistics, in combination with the correlational matrix, comprise sufficient empirical data to examine the nature and extent of the presumed causal relationship. Resolution of the conditions for causal inference depend upon the strength of the argument based on the combination of empirical, historical and critical data.

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EXPLORING INSTITUTIONAL QUALITY OF LIFE:
A STUDY OF THE RELATIONSHIP BETWEEN CONDITIONS OF CONFINEMENT AND RESIDENTS PERCEPTIONS OF WELL-BEING

VOLUME 2

By

David Walter Roush

A DISSERTATION

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CHAPTER 6

Findings

Data Analysis

Data Collection

A letter of request to conduct research was presented to the administrator of ten juvenile detention facilities as specified in the research design. Nine institutions consented and data collection dates were scheduled. An additional request was extended to an eleventh institution which responded favorably, thus satisfying the expectation of ten institutions in the research sample. The on-site visits were conducted over a 20-day period during the months of July and August. Even though the data collection process proceeded quite smoothly, a major disappointment was the refusal to cooperate in the research by Judge David Kinworthy of the Allen County Juvenile Court in Lima, Ohio. Judge Kinworthy was very defensive about anyone conducting research and interviewing "his kids," especially if the researcher were not a part of his staff. While Judge Kinworthy's concern for the best interests of youth served to preclude anyone outside of his control from reviewing his institutional practices, the disappointment came from denial of access to the juvenile detention facility which bears my family name and is dedicated to the memory of my uncle who served the youth of Allen County as chief probation officer.

Individual interviews with the facility administrator

and a facility tour were conducted at all sites. The interview was conducted in a relaxed and conversational style, but it included discussions on the following subjects: general assessments of overall program operations; reviews of facility assets and liabilities; discussion of staff recruitment and development; and issues regarding the future of juvenile detention. Information gathered during the interview and the tour established the values for the staffing ratio, density, and institutional capacity. A standards compliance audit was conducted with seven of the administrators to generate the percent compliance with ACA standards for each institution. The standards compliance audit summary or tally completed by the ACA standards compliance audit team was used for three institutions.

The social climate scales (the CIES and the CNTX) were administered to 121 juvenile offenders, ranging in age from 14 to 17 years old with an average age of 15.48 years. From this group, a total of 80 residents participated in the group interviews based on the topical questions from the Child Well Being Scales. These data sets constitute the multiple measurement of the dependent variable. In addition, field notes were completed after each on-site visit. The information and impressions contained in these notes help to shape the interpretation and understanding of the research findings. A brief description of these qualitative findings are presented later.

The ATP questionnaire was administered to 100 institutional staff members. In addition, brief conversations were held with 67 individuals from this group. Discussions with staff served to verify information collected from the institutional administrator and from the juvenile offenders. The validity of various perspectives about quality of life are derived from the coherencies between administrative, resident, and staff perspectives.

Data for all variables from each institution are presented in Table 3.

Observations and Impressions

The on-site visits were a unique experience. Because of my friendship with each administrator and varying numbers of his or her direct care staff, the participants were especially open and honest about issues pertaining to conditions of confinement and quality of life. I believe that most staff had enough faith and trust in my confidence that they were willing to reveal many of their institution's shortcomings and failures. For example, I learned of numerous standards which were out of compliance but were never challenged or identified by a standards compliance audit team. I learned of plans contrived by staff and residents to create problems which would call to the attention of decision makers the crowded the conditions in the detention facility. I also got to see the isolation room in the basement that no one else knows about.

As a result of these impressions and observations,

Table 3

Facility Scores, Means, and Standard Deviations for Each Research Variable

Facility	Variables				
	SCA	DEN	STR	ATP	CAP
A	53.78	66.07	4.46	125.50	27
B	96.77	131.70	3.72	136.00	40
C	41.87	85.45	5.98	136.10	42
D	97.03	123.36	9.10	123.60	59
E	61.36	84.50	5.63	126.20	40
F	98.92	79.13	6.22	123.20	55
G	63.45	82.18	6.16	131.20	45
H	43.86	106.13	9.98	116.20	47
I	63.25	87.21	6.25	123.00	43
J	96.53	96.84	4.93	118.30	56
Mean	71.68	94.26	6.24	125.95	45.40
S.D.	23.24	20.52	1.94	6.73	9.47

Note. Variables are:

SCA, Standards Compliance Audit
DEN, Density
STR, Staff to Resident Ratio
ATP, Attitude toward Prisoners Scale (modified)
CAP, Institutional Capacity

Table 3 (cont'd.)

Facility	Variables					
	SCS	RELD	TRTD	SYMD	CNTX	CWBS
A	54.75	12.25	11.33	11.16	20.01	46
B	49.70	12.00	10.00	11.00	16.70	48
C	66.19	16.55	14.36	13.18	22.10	48
D	50.44	10.36	9.07	13.15	17.86	54
E	53.60	12.30	10.80	10.20	20.30	50
F	59.51	12.72	12.22	14.22	20.35	53
G	50.85	10.51	11.42	13.01	15.91	47
H	53.69	8.85	9.15	12.84	22.85	56
I	71.27	15.72	12.09	15.18	28.28	42
J	43.90	10.07	8.92	8.92	15.99	54
Mean	55.39	12.13	10.94	12.29	20.03	49.80
S.D.	8.18	2.44	1.72	1.92	3.79	4.39

Note. Variables are:

SCS, Social Climate Scales
RELD, Correctional Institutions Environment Scales (CIES), Relationship Dimension
TRTD, CIES, Treatment Dimension
SYMD, CIES, Systems Maintenance Dimension
CNTX, Contextual Dimension
CWBS, Child Well-Being Scales (modified)

several modifications were made to the research design. These modifications will be explained within the context of the specific impressions and observations. The three areas for comment are the physical environment, the people in the detention centers, and the detention programs.

Impressions of the physical environments. Despite the relatively narrow range in capacities, striking variations were noted in the physical environments. Much of this is a function of architecture. The ten institutions ranged in age from eight to 32 years old. During that time, major changes in institutional design have occurred. Impressions of the environment range from warm and relaxed to cold and uneasy. Within the sample, there were several excellent examples of Sommer's (1972) hard and soft institutional designs. In addition, there was large variation in the amount of space available for each resident in various institutions.

Some interesting examples of this variation are noteworthy. Only four institutions used carpet at any point in the living and program areas. One institution contained no chairs in the residents' dayroom. Nine institutions had a ping pong table available to residents, but only four institutions had a pool table. Two institutions had sky lights to increase the natural light in the living units, and two institutions used translucent glass so that youth could not see out of the facility. These contrasts are presented to underscore the variations in the physical environment.

Despite this variety, I did not sense a noticeable effect on social climates. Satisfaction with the institution did not show a pattern which corresponded with the physical environment.

One element of the physical environment did create a noticeable difference. As the size of the institution increased, I sensed a similar increase in the amount of staff control within the facility. With an increase in capacity, there appeared to be greater regimentation of youth in the living units, stricter rules which led frequently to room confinement, and increased periods of enforced silence. The size also appeared to restrict access to activity areas. This may have been a function of security or it may have been a function of the need for different groups of residents to compete for these spaces. The impact of capacity was consistent enough that a decision was made to include it as one of the independent variables constituting conditions of confinement.

Staff. The size of the institution was also related to differences in my perceptions of how staff approached their jobs. Due to the increases in the control orientation for larger programs, there were fewer positive interactions between staff and residents. During my discussions with staff, negative comments about juvenile offenders were more often associated with larger institutions, urban settings, and crowded conditions. Although the number of institutions in the sample is small, the pattern appeared strong enough

to warrant the incorporation of staff attitudes as an independent variable in the model to explain conditions of confinement.

Even though staff attitudes appeared to be affected by institutional size and crowding, I was impressed by the generally high level of enthusiasm and commitment expressed by direct care staff in this study. Part of the research design was to look at good institutions. Most correctional experts at all levels agree that a key element of institutional success is the quality of the staff.

I was even more impressed by the administrators of these ten facilities. Each was a product of the 1960s with at least 15 years of experience in juvenile justice and juvenile detention. As such, the cumulative wisdom in this sample may be unparalleled. This explains for me the strong emphasis on programming which was noticeable in each facility. Differences in programming appeared to be more a function of the political climate, the size of the institution, and the general financial condition of the parent agency. In each instance, however, I came away with the distinct impression that the intent of the administrator was to create a program environment where the detention experience did something "for" juveniles as opposed to doing something "to" juveniles.

Youth. At each location, residents were eager to participate in the research project. The federal guidelines about human subjects research, voluntary participation, and

confidentiality appeared to be irrelevant factors for youth in deciding whether or not to participate in this project. Instead, I came away with the impression that all youth looked forward to an opportunity for discussion and attention.

Continuing with this theme, youth who were not selected to participate in the research were uniformly disappointed and disgruntled. In one instance, a youth who was not selected to participate raised such a disruption and commotion that he ultimately earned a room confinement. In one instance, four youths did exercise their option to withdraw from the research after having been selected. Because the data collection process was scheduled opposite of a free time recreation period, the youth in question chose to go outside after the length of the data collection process was explained. At that time, four additional youth were randomly selected.

In summary, the data collection process proceeded very smoothly, and my impressions and perceptions of the process permitted minor modifications of the model of conditions of confinement used to explain variations and well-being or social climate. These modifications include the addition of two independent variables; capacity is added because of the subtle changes which occurred in larger institutions, and staff attitudes were added through the use of the Attitude Towards Prisoner's Scales (ATP).

Finally, five issues will be addressed to answer the

question raised by the causal inference in the research hypothesis. First, because this is a causal-comparative design, the independent variables cannot be experimentally manipulated. Therefore, the independent variables should show sufficient variance to approximate a wide range of manipulation to test the effect on the dependent variable. Second, does a relationship exist between the independent and dependent variables? Do they covary? Three, does a temporal ordering or sequence exist such that the cause or the independent variable always precedes the effect or the dependent variable? Four, based on the findings, can plausible rival hypotheses be ruled out? Fifth, do the findings fit with theory?

Correlational Analysis

A review of the data in Table 3 reveals considerable variability in the scores for the independent variables of (a) the percentage of compliance with ACA standards (SCA) and (b) institutional density (DEN). Based on the theory of conventional correctional wisdom developed earlier, these are the most important variables in the model describing conditions of confinement. The remaining independent variables do not show the same range in scores. Even though both the staff ratio (STR) and institutional capacity (CAP) appear quite narrowly distributed, institutional practice indicates that standard deviations of 1.94 and 9.47, respectively, represent sufficient changes in these variables to produce measurable changes in social climate

(Altfeather, Kantner & Zentner, 1980; Carbone & Lynch, 1981; Hughes & Reuterman, 1982). The only variable showing minimal variation is staff attitudes (ATP). Thus, the variations in four of the five independent variables are sufficient to satisfy the variability requirement in causal-comparative research (Van Dalen, 1962).

The next question for the data analysis is whether or not a relationship exists between the independent variables and the dependent variables. Using correlation coefficients, two factors are used for interpretation. First, the direction of the correlation, as indicated by its sign, specifies whether changes in one variable are accompanied by similar changes in the same or opposite directions in the other variables. Second, the strength of the correlation is interpreted as a function of the size of the coefficient and the size of the sample. Zero-order correlation matrix for all variables are presented in Table 4.

Direction of the relationships. The research hypothesis predicts a strong positive relationship between those variables constituting conditions of confinement and those variables representing resident well-being. The data from Table 4 permit an initial review of the correlations based on the direction of the relationships. A noteworthy pattern becomes evident since the key variables appear to change in a direction which is the opposite of the research hypothesis. For example, when looking at the first five correlations in the columns for the two dependent variables

Table 4

Zero-order Correlation Matrix for All Variables

Variable	2	3	4	5	6	7	8	9	10	11
1. SCA	.47	-.20	-.08	.61	-.46	-.28	-.44	-.18	-.51	.31
2. DEN	--	.25	.07	.41	-.39	-.35	-.59	-.11	-.28	.37
3. STR		--	-.52	.49	.06	-.37	-.29	.45	.27	.54
4. ATP			--	-.40	.17	.51	.56	.04	-.22	-.52
5. CAP				--	-.25	-.34	-.36	.15	-.23	.66*
6. SCS					--	.85**	.78**	.75*	.87**	.57
7. RELD						--	.86**	.42	.59	-.69*
8. TRTD							--	.49	.43	-.58
9. SYMD								--	.62	-.28
10. CNTX									--	-.39
11. CWBS										--

* p <.05. ** p <.01.

n = 10

(SCS and CWBS), four of the five correlation coefficients with the independent variables are negative (opposite of the direction predicted by the research hypothesis) for SCS while three of the five correlations are negative for CWBS. These patterns of negative correlations constitute the first indication that the causal relationship predicted by the research hypothesis is not supported by the data.

Numerous correlations affecting central variables within the research hypothesis are worthy of comment from a directional analysis. These variables and their correlations are more fully addressed in the discussion of the strength of the correlation coefficient. It is the combination of a strong correlation and a negative direction which argues against support of the research hypothesis.

Strength of the relationships. The more important question in correlational analysis is how to interpret the strength of the relationship. The traditional method is the test of significance. Starting with a null hypothesis which states that no relationship exists between the variables in the population or that the same correlation is attributable to chance if the population coefficient is zero, the correlation coefficient and its sample size can be compared with statistical tables to determine significance at the .05 and .01 levels. As shown in Table 4, only one correlation coefficient between an independent variable and a dependent variable (CAP, CWBS) is large enough to be statistically significant at the .05 level. The lower third of Table 4

consists of intercorrelations for each dimension of the dependent variables. Six of these correlation coefficients are significant with four exceeding the cutoff for the .01 level. For these seven relationships, the null hypothesis is rejected.

Statistical significance is related to the size of the correlation coefficient and to the size of the sample. As the sample or the degrees of freedom increase, the value required for statistical significance decreases. It is interesting to note that if the sample size of this project were doubled, a total of 25 correlation coefficients would exceed the value of .44 for significance at the .05 level. As the sample size continues to increase, the correlation coefficient needed to achieve significance markedly decreases. Based on this fact, a criticism of correlational data develops around the contention that if the sample size is large enough, an extremely weak relationship may still exceed the value for statistical significance.

The second method of interpreting the meaning of correlational data is the response to the criticism on statistical significance and sample size. This strategy advocates the use of the absolute value of the correlation coefficient. The strength of the relationship or the degree of association between two variables should maintain its strength as the sample size increases. Van Dalen (1962:231) uses a classification system to interpret the magnitude of correlation coefficients. A marked relationship exists when

r is between .40 and .70, and a very high relationship is when r exceeds .70.

Van Dalen identifies three reservations in the use of this classification system. First, there is often some doubt about the maximum coefficient which can be predicted between certain variables. Regarding the research hypothesis, the theory predicts a very strong positive correlation between those variables constituting conditions of confinement and the dependent variables. In particular, neither the courts nor the academic community do anything to refute the claims of the correctional community that an increase in standards compliance will directly result in an increase in resident's perceptions of well-being. This, too, predicts a very strong relationship regardless of sample size.

Variability is a second restriction on the use of these classifications. If the scores on either or both variables are restricted in range, the correlation coefficient may be low. A review of Tables 3 and 4 reveal that those variables with a narrow range of scores show no consistency in producing low correlation coefficients. Therefore, it is assumed that sufficient variability exists.

The final restriction is concerned with the reliability and validity of the measurement instruments. These are issues and arguments which were addressed in the previous chapter; and to the extent that the project has reached this point, it presumes agreement on the part of the reader that

the reliability and validity of the measurement instruments are adequate.

Marked relationships. Applying Van Dalen's classification system to Table 4, a series of marked relationships warrant brief comments. Focusing on the independent variables, SCA is the most important variable. As standards compliance increases, both density and capacity increase whereas social climate, treatment, and contextual dimensions decrease. The presence of these marked negative relationships between standards compliance and social climate are contrary to the relationships predicted by the research hypothesis.

As institutional capacity increases, marked relationships are noted between increases in density and staff ratios. Staff attitudes toward juveniles and residents' perceptions of well-being decrease as capacity increases. The inverse relationship between capacity and well-being (CAP, CWBS) is the only statistically significant relationship between an independent and dependent variable. Density, which is positively correlated to standards compliance and capacity, has an inverse association with the treatment dimension of social climate.

Changes in staff ratios are expected to be associated with negative correlations with certain dependent variables. Three marked relationships support the theory. As staff ratio increases, staff attitudes toward juveniles and residents' perceptions of well-being decrease. This

relationship may be influenced by the fact that as staff ratio increases, the systems maintenance dimension of social climate increases. Systems maintenance is a combined measure of program clarity, order and organization, and staff control.

Staff attitudes (ATP) is the only independent variable which maintains marked relationships with all other variables in the manner predicted by theory. In addition to the relationships of ATP and other variables mentioned above, staff attitudes show a marked positive relationship with residents' perceptions of well-being and with the relationship and treatment dimensions of social climate scales.

In summary, the directional and strength analyses of the correlational data provide insufficient support for the research hypothesis. Even though marked relationships exist between a variety of independent variables and the dependent variables, a distinct pattern emerges whereby the direction of these relationships is opposite of the direction predicted and demanded by a research hypothesis which predicts a causal relationship.

Regression Analysis

By using multiple measurements of the dependent variable, two models were tested through the use of multiple regression analysis which estimates the amount of variance in the dependent variable which is explained by the model. In both models, the independent variables consist of standards compliance (SCA), density (DEN), staffing ratio

(STR), institutional capacity (CAP) and staff attitudes towards juveniles (ATP).

Model 1. Using these independent variables, Model 1 estimates the variance in social climate as measured by the mean combined scores of residents in each facility on the four social climate scale dimensions of relationship (RLD), treatment (TRD), systems maintenance (SYMD) and contextual (CNTX). The regression equation for Model 1 is as follows:

SCS = 12.73 +(-) .10 SCA +(-) .13 DEN + .85 STR +
(103.15) (.32) (.20) (3.60)

.14 CAP + .40 ATP
(.61) (.67)

R-square = .31

A complete listing of the regression data for Model 1 is found in Table 5.

The regression coefficient (b) indicates the amount of change in the dependent which occurs when the particular independent variable changes by one unit. The advantage of the regression coefficient is that it indicates the relationship between the dependent variable and one independent variable with all other independent variables being held equal or constant. In Model 1, the regression coefficients for standards compliance audits (SCA) and density (DEN) indicate a small and negative influence on social climate which is opposite and contrary to the direction and size of the influence predicted by the research hypothesis. The remaining independent variables also show a very weak influence on the dependent variable.

Table 5

Regression Estimates of Conditions of Confinement Variables on Perceived Social Climate (Model 1)

Variables	b	SE b	Beta	t
SCA	-.10	.32	-.28	-.31
DEN	-.13	.20	-.32	-.64
STR	.86	3.60	.18	.24
CAP	.14	.61	.17	.24
ATP	.40	.67	.33	.59
Constant	12.73	103.15		

R - square = .31
Standard Error = 10.16
F = .37

Coefficient of Predictive Efficiency (E) = 17.16%

Standardized regression coefficients (beta) are presented. The beta coefficient is considered to be unit free in the sense that a unit change in the independent variable corresponds to a change of one sample standard deviation rather than a unit of the original measurement. Beta provides the number of standard deviations of change in the dependent variable expected from one standard deviation change in the independent variable. The problem is that beta is also dependent upon the standard deviation of each variable which is sample specific. Thus, one variable may have a larger beta than another because its variance is larger instead of its importance being greater. Beta coefficients are presented as a basis of comparison, and they reinforce the weak effects noted by the regression coefficients.

The t-test for each coefficient provides the best measure of its strength. In all cases, the value of t falls below the critical value for significance at the .05 level, and it is not possible to reject the null hypothesis that the true coefficient is zero. The combined effects of the independent variables is reflected in the F score which also falls below the critical value for significance at the .05 level.

The coefficient of determination (R-square) measures the proportion of the variance in the dependent variable which the model explains. The R-square in Table 5 indicates that Model 1 explains 31% of the variance in social climate.

The standard error of the measurement is an unbiased estimate of the stochastic error, and provides information about the importance of random fluctuations in the model. The standard error is used as an estimate to gauge the spread of the error terms. The relatively small value of the standard error for Model 1 indicates an equally small amount of stochastic error. Therefore, it is possible to conclude that Model 1 is a poor estimate of the effects of conditions of confinement on social climate. The results do not confirm the hypotheses advanced by the courts and conventional correctional wisdom.

Model 2. The triangulation of the research is the multiple measurement of the dependent variable. Model 1 used a pencil-and-paper survey of detainees to ascertain a global perspective of social climate. Model 2 defines the dependent variables as the combined responses to a group interview of detainees through the use of selected scales in the Child Well-Being Scales (CWBS). The independent variables are the same as Model 1. The regression equation for Model 2 is as follows:

$$\begin{aligned} CWBS = {} & 55.72 + .00\ SCA + .05\ DEN + .49\ STR + .19\ CAP + (-) \\ & \quad (43.83)\ (.14) \qquad (.08) \qquad (1.53) \\ & .18\ ATP \\ & (.29) \end{aligned}$$

$$R\text{-}Square = .57$$

It is important to reiterate that CWBS is scored in such a manner that the smaller values are associated with larger amounts of satisfaction with the institution. Therefore,

the relationships predicted by the research hypothesis should produce negative regression coefficients. A complete history of the regression data for Model 2 is found in Table 6.

As noted in Model 1, the independent variables demonstrate a very weak influence on residents' perceptions of well-being. Most noteworthy is the implication that increases in standards compliance have no effect on residents' perspectives of well-being. Equally as surprising in the face of current research is the extremely weak effect of density on perceptions of well-being. Again, the t scores fail to meet the critical values for statistical significance; as well as the F score. These scores prevent a rejection of the null hypotheses that both individual and combined true coefficients are zero. Neither model is capable of indicating a significant effect of any or all independent variables on its dependent variables.

The R-square value means that Model 2 explains 57% of the variable in residents' perceptions of well-being. A 26% increase in predictability is noted in comparison with the R-square for Model 1. Much of this increase is attributable to the similarity of the CWBS topic and the topic areas addressed in the independent variables. However, is the ability to explain 57% of the variation in well-being an indication of an adequately specified Model? The answer again is negative. Even though R-square appears to be fairly strong, another perspective is to view the

Table 6

Regression Estimates of Conditions of Confinement Variables on Perceived Well-Being (Model 2)

Variables	b	SE b	Beta	t
SCA	.00	.14	.05	.06
DEN	.05	.08	.24	.60
STR	.49	1.53	.20	.32
CAP	.19	.26	.41	.73
ATP	-.18	.29	-.28	-.63
Constant	55.72	43.83		

R - square = .57
Standard Error = 4.32
F = 1.06

Coefficient of Predictive Efficiency (E) = 34.46%

corresponding coefficient of predictive efficiency (E) which provide a measure of how much better the R-square predicts changes in the dependent variable than chance (Van Dalen, 1962). If prediction based on chance is the basis of comparison, than an E value of .00 would be equivalent to chance in terms of any increased or additional predictive value. The R-square of .57 yields an E of .34 or a 34% increase in predictability over chance.

The involvement of the courts presents an interesting criterion for interpreting the R-square. In the legal system, a determination of guilt is based on satisfying the burden of proof that a certain level of evidence (those facts relevant to the case) supports a verdict of guilty. Facts can be construed as those elements of the case which have a direct bearing or effect on a predicted outcome. Those facts which have no effect or which cannot be distinguished from random occurrence are excluded. In civil cases, such as, prisoners' rights litigation, the verdict is based on a burden of proof which requires a preponderance of the evidence. In other words, the courts require the facts in the case to provide a predictive efficiency which is at least 51% better than pure chance. By comparison, a predictive efficiency of 34% would not meet this criterion.

In summary, while the R-square in Model 2 indicates that over half of the variation in the dependent variable is explained by the independent variables identified by conventional correctional wisdom, neither model is

adequately specified, and both models fail to support an inferred causal relationship between conditions of confinement and residents' perceptions of well-being. Causal models and the range of costs associated with litigations against practitioners warrant a stronger degree of association and predictability between the independent and dependent variables.

Interpretation

The results do not support the hypothesis which predicts a causal relationship between conditions of confinement and residents' perceptions of well-being. Using the criteria for determining causal inference, the correlational and regression data are inconclusive with a sample size of ten. If a relationship exists between the variables, it may be too weak or in the opposite direction to support the research hypothesis. In terms of the ability to predict changes in social climate, both models fail to include the critical variables. Therefore, both models are misspecified, and the implication is that the causal inference is also misspecified.

There is very little evidence to support the requirement for a temporal ordering in which the independent variable always precedes the dependent variable. In addition to the argument presented earlier which maintained that there were examples where the social climate and perceptions of well-being were positive prior to the improvement of conditions of confinement, this research has

given me access to historical data where social climate has been measured using the same device at a ten-year interval in two institutions involved in this research.

Both institutions are very similar, have had the same detention administrator throughout the ten-year period, and have a very good reputation for programming and for an emphasis on a therapeutic social climate. The only difference is that one institution engaged in the ACA accreditation process two years after the initial social climate assessment. Thus, for eight subsequent years, one institution has operated as an accredited facility.

Are there any differences between the scores on the CIES social climate scale between the two administrations? The social climate score comparisons are presented in Table 7. The scores for institution B (the institution that completed the accreditation process) are lower on the 1989 testing, but a comparison of the scores for institution C indicate that the scores are very similar. Are the differences between each institution's scores significant? Using a Wilcoxon's matched-pairs signed-ranks test, institution B shows a statistically significant difference in the two social climate scores ($N = 9$; $\underline{T} = 0$; $\underline{p}<.01$) while the differences between the scores for institution C are not significant ($N = 9$; $\underline{T} = 18$; $\underline{p}$=n.s.). Even though there are a host of other variables which could explain these results, the data provide one specific instance where the keystone variable in conditions of confinement (standards compliance)

Table 7

A Comparison of CIES Scores from 1979 and 1989 for Facility B and C

Scale	Facility B		Facility C	
	1979	1989	1979	1989
I	6.2	2.9	5.5	5.6
S	6.2	4.7	5.9	6.5
E	5.0	4.4	4.2	4.6
A	5.0	2.1	5.0	4.4
PO	5.6	4.5	6.5	5.7
PPO	3.6	3.4	4.8	4.3
OO	6.8	4.8	5.0	5.7
C	6.6	4.5	5.4	5.1
SC	4.4	1.7	2.9	2.4

has been unable to improve or maintain a positive social climate. Instead, accreditation is associated with a decrease in social climate which is statistically significant.

Based on the combined impact of the data, it is impossible to rule out the existence of plausible rival hypotheses to explain social climate and resident perceptions of well-being. Furthermore, the absence of correspondence between the research findings and the results predicted by the theory endorsed by the courts and the correctional community presents a strong argument that the results do not fit the theory. Not only do the criteria for causal inference fail to support the research hypothesis, the cumulative impact of the findings call for a rethinking of the theory surrounding the relationship between conditions of confinement and resident perceptions of well-being.

Weaknesses

The traditional caveats of causal research apply to this study. As an initial inquiry, it was impossible to control all of the critical variables effecting social climate. Based on the combined analysis of the qualitative and quantitative strategies, it would appear that one variable which was omitted and which could have contributed to a greater explanation of the changes in social climate is the concept of leadership (Morris, 1987). In those institutions with positive perceptions of social climate and well-being, the leader tended to be strong, dynamic, and an

advocate for youth. This was one of the limitations of the research which was identified earlier. It now appears that this may have been an important variable which was omitted from the models.

The results also confirm the complexity of social phenomena. Juvenile corrections is no exception. In fact, one of the major weaknesses of the research is the fact that the theory behind the relationship between conditions of confinement and resident perceptions of well-being is derived primarily from adult corrections. The issue has yet to be addressed as to whether or not the complexity of the corrections experience increases when dealing with juvenile offenders. If this is the case, then a new theory may be required. Furthermore, the implications of the research may have little or no meaning for adult corrections.

Finally, the research did not address nor resolve the problems associated with dichotomous variables. Both the social climate scales and standards compliance represent the two major variables in the research. Both of these variables were measured through the use of dichotomous variables. If the argument applies to accreditation that compliance should be measured on an interval scale to increase its accuracy, then the same argument may apply to the research data. Dichotomous variables may not be sensitive enough to register or evaluate subtle and complex changes in the relationship between conditions of confinement and social climate.

Strengths

As an initial inquiry, the results provide several major benefits. For example, the Office of Juvenile Justice and Delinquency Prevention plans to initiate a major study of conditions of confinement in juvenile correctional facilities. This project can provide advice and guidance in the development of the design, selection of variables, and selection of measurement instruments. In addition, the OJJDP study may be able to address some of the weaknesses identified above.

The research presents the first empirically based rejection of the conventional wisdom surrounding conditions of confinement and social climate as advanced by the courts and the correctional community. As such, it is important for the correctional community to respond to the issues raised in this research. For example, the correlational data indicate a marked relationship between standards compliance and density. It was my impression in these institutions that density or crowding may have been the most powerfully negative factor affecting social climate. An initial item analysis of resident responses on the subscale of Safety indicates significantly different responses between groups of crowded versus non-crowded facilities which are more negative in those institutions which are crowded. This phenomenon holds true even when the crowded institution is accredited. Crowding may have the power to negate the positive effects associated with the standards

accreditation process.

Finally, the patterns in the results are sufficiently contrary to conventional wisdom that a rethinking of the relationship between conditions of confinement and resident perceptions of well-being needs to be accomplished for juvenile corrections. In doing so, the research also affirms the importance of juvenile corrections as a place to test the relationship between theories generated in adult correctional practice and their presumed automatic relevance to juvenile corrections.

CHAPTER 7

Discussion

If the findings do not confirm the hypothesized causal relationship between conditions of confinement and residents' perceptions of well-being, what conclusions can be drawn about the relationship between these variables? Because this is an initial probing of the relationship, conclusions are tentative, but the importance of searching for meaning in the findings is to provide guidance and direction for future research efforts. All conclusions about the findings must be evaluated in light of the previously mentioned limitations of this study.

The research does not support the causal principle postulated by Rhodes, and the findings cast a shadow of doubt over the implied strength of the relationship. While additional research is needed and the following tentative conclusions are offered as a means of explaining the findings and of identifying possible directions for future research efforts, one area of importance to researchers and practitioners is the identification of mistaken assumptions about the relationship between conditions of confinement and residents' perceptions of well-being.

Conclusions

Interactive Nature of QOL

The first conclusion challenges a fundamental assumption of the court and contemporary correctional wisdom by maintaining that the components of quality of life are

interactive. Throughout the research, there did not appear to be a clear and definable separation between cause and effect. While conventional wisdom predicted a linear interaction whereby changes in conditions of confinement precede and affect subsequent changes in social climate, no clear pattern emerged, and the experience in several institutions could be better described as a circular causality (Weick, 1969). Conditions of confinement and social climate interacted in a mutual fashion which can be conceptualized as a loop. Weick defined this process as a double interact.

The experiences at four institutions were problematic because the interaction between social climate and conditions of confinement was so interactive that it was difficult to ascribe causal or independent variable status to either variable. In one instance, the influx of a more serious, drug-involved juvenile into the detention population created increased tension and fear as a part of the social climate. Because staff and resident relationships were good, the youth communicated their apprehensions and fears to staff who simultaneously experienced the negative changes in the social climate. These events were followed by the implementation of a classification system based on offender seriousness and the creation of a special unit to house the more serious offenders. This special unit was built around program concepts which emphasized negative sanctions for inappropriate and antisocial behaviors. These behavioral controls were standardized and formalized through the development of

policies, procedures and a program manual. From this example, changes in the social climate preceded and influenced changes in conditions of confinement.

In another institution, a positive social climate and high levels of residents' perceptions of well-being existed in a facility that was understaffed, underbudgeted, and in a deteriorating physical plant. The positive nature of the social climate was used to convince key policy makers and decision makers that the institution should achieve national recognition through accreditation. As a result of the successful completion of the accreditation process, the institution received adequate financial support, an increase in the number of staff, and a special capital outlay budget to improve the physical environment. Again, the argument is made that the positive social climate led to the improvement of conditions of confinement.

In both of these examples, it is important to stress the difficulty in separating the effects of the two variables. In each situation, these variables constituting conditions of confinement existed in conjunction with social climate. Furthermore, the complexity of these two constructs means that there is considerable overlap and contamination in the definition of each. If social climate is a function of the relationship between staff and residents, it becomes impossible to separate out the influence of staff recruitment, staff training, and supervision from the effects of the relationship. Those who claim that the variables constituting

conditions of confinement and resident well-being can be neatly and discretely established have oversimplified and misspecified the practice of juvenile corrections. Weick (1969:88) maintains that the search for discrete variables in the study of an organization is extremely difficult. He concludes that:

> What you will find is that there are events, linked together, that transpire within concrete walls and these sequences, their pathways, and their timing are the forms we erroneously make into substances when we talk about an organization.

The themes of nonlinear causality and the interactive nature of the QOL variables will continue throughout the discussion of conclusions. The remaining conclusions address four additional factors which affected the outcome of the research project. These factors include the research method, the unique status of juvenile corrections, institutional crowding, and the relationship between accreditation and administrative orthodoxy.

Research Method

Because the sample was nonrandom and purposive, it is difficult to make a plausible argument that the results generalize beyond the average sized detention facility in the Midwest. Despite this restriction on the interpretation of the findings, two important conclusions can be drawn from the research. First, the concept of standards compliance does not lend itself to an efficient research design. Second, the quantitative and qualitative data collection processes identified the missing variable of administrative leadership.

Standards compliance. The measurement of standards compliance as a single variable may neutralize any individual effects associated with those topical areas listed in Appendix A. The standards represent an accumulation of over 400 policy requirements distributed into 20 different topical categories. It is assumed that such topics as Fiscal Management and Administration may have very little direct impact on social climate. Because these standards are given the same or greater weight than such standards as Programs, Juvenile Rights, and Rules and Discipline, there is no way to ascertain from a single combined standards compliance score which topic area is in compliance and is exerting the greatest influence on the composition of standards compliance. Practitioners have complained for years that there are too many irrelevant standards, and this complaint relates to the variation discussed earlier where widely discrepant programs for youth can be found in accredited facilities with comparable levels of standards compliance.

Like standards compliance, the concept of accreditation needs greater clarification for future research purposes. Correctional wisdom indicates that through the peer review involved in the standards compliance audit, accreditation provides validation for a positive social climate. The problem arises when asking about the meaning of positive. What is the basis for comparison? Social climate assessments, particularly QOL statements, are interpreted on the changes that have occurred within the institution under

accreditation. Therefore, accreditation is probably most effective as a problem-solving tool that has as its best measure of effectiveness the amount of change occurring in QOL between the onset and completion of accreditation.

A dangerous assumption is made by the correctional community when discussing the positive effects which accrue as the result of accreditation. Corrections assumes that the QOL in nonaccredited facilities is automatically poorer or lower than that in accredited facilities. While this may be the case in adult facilities, this research supports just the opposite for juvenile corrections. If this holds true for the entire population of juvenile facilities, then the role for accreditation shifts to that of a problem-solver. A better means of comparison would look at the amount of changes in QOL over time to ascertain whether accreditation is associated with significant positive change. However, to assume that nonaccredited institutional QOL is automatically lower sets up an unfair comparison, and this conclusion is drawn prior to a discussion of the negative influence on QOL associated with institutional crowding.

Leadership. Morris (1987) maintains that conditions of confinement and social climate are variables dependent upon the leadership qualities of the institutional administrator. The ability to organize institutional goals, to translate those goals into program objectives, to motivate institutional staff to do the best job possible, and to create a participative and therapeutic social climate has been described

as a function of administrative ideology (Street, Vinter & Perrow, 1966). Both of these research findings come from analyses of juvenile institutions. Duffee (1980) notes a similarly positive effect of administrative leadership on institutional social climate in an adult correctional facility. Knott and Miller (1987) maintain that leadership abilities are the critical factors in successful public administration. Peters and Austin (1985) identify leadership as the central concept in achieving excellence in public and private organizations. Davis (1984) discussed the vital role of the chief executive in setting and transmitting an organizational set of values or an organizational culture.

The problems associated with the data analysis are a result of the misspecification of the model describing conditions of confinement. Future research needs to examine two possible hypotheses. First, the incorporation of leadership into the model of conditions of confinement may permit the explanation of variance in residents' perceptions of well-being at a level which supports an argument of causal inference. Second, leadership may be an independent variable which explains changes in the dependent variable of quality of life, a combination of conditions of confinement and residents' perceptions of well-being as defined in Figure 2 (p. 96).

Juveniles Are Different

A bias exists on the part of the correctional community as the result of its orientation toward the adult offender.

In addition to the assumptions associated with the research hypothesis, i.e., the efficiency of the administrative orthodoxy and the reliance upon quantitative methods, the courts and conventional correctional wisdom assume that the regularities in adult correctional practices apply to the practice of juvenile corrections. The court has supported this notion of a single set of expectations for both systems since 1967 and the In re Gault decision when the court initiated the process of providing selected constitutional rights to juveniles. The legalization of juvenile court has combined with the current preoccupation with the serious juvenile offender to reduce the distinction between the adult and juvenile justice systems. This reasoning contributes, in part, to the presumption that the causal relationship outlined in Rhodes applies to juvenile corrections even though it was derived from experience in adult corrections. This thinking is doomed to failure because it overlooks a basic distinction: juveniles are different (Sheridan, 1986).

The results of this research do not apply to adult settings. Those conclusions drawn about the relationship between conditions of confinement and residents' perceptions of well-being can be applied only to juvenile institutions. The findings permit the development of arguments that the causal principle articulated in Rhodes does not apply to juvenile institutions and that those patterns of relationships associated with conditions of confinement in adult institutions cannot be automatically applied to juvenile

institutions. While the physical environments of both institutions may be similar in many regards, the goals and methods of operation are sufficiently different such that principles which apply to one institution cannot be presumed to be relevant without a thorough investigation. It has been the failure of the correctional community to address this distinction which has resulted in the misapplication of adult correctional principles to juvenile corrections.

The needs of incarcerated juvenile offenders are different from those of adult offenders. Developmental child psychologists and the public both agree that the mission of juvenile corrections is distinctly different. Juvenile corrections carries with it a mandate to change the offender. While adult corrections may be charged with insuring that the offender is no worse off upon release, juvenile corrections operates under the rehabilitative ideal (Cullen & Gilbert, 1982). Within this context, the relationship between the offender and competent, helpful staff is of primary importance (Brendtro & Ness, 1983:17). Rehabilitation is frequently defined as a process of reeducation or resocialization which includes individual and group counseling, remedial and general education programs, activities and recreation programs, creative arts, and clinical services.

This definition of juvenile services is a response to the needs presented by juvenile offenders (Walker, 1973). Because the needs of juveniles are different from those of adult offenders, definitions of the social climate are far

more compatible with the relationship and treatment oriented conceptualizations presented by Insel and Moos (1974). Additional references to concepts of safety, activity, privacy, and emotional feedback create a definition of social climate which is responsive to the needs of the juvenile offender. Due to these differences, there appears to be greater latitude in institutional practices. This latitude in practice and the continued existence of the parens patriae doctrine raises a question about the full access of juveniles to constitutional rights. This uncertainty has meant that prisoners' rights litigation is significantly less prevalent in juvenile corrections. These reasons combine to place a greater emphasis on the quality of program services or quality of care provided versus the degree of policy and procedure development (Roush, 1984).

A recent study by the National Council on Crime and Delinquency (NCCD) indicates that the public supports the assumptions that children are different and that juvenile offenders should be rehabilitated (Steinhart, 1988). Over 80 percent of the participants in the NCCD public opinion survey agreed that (a) juvenile justice should focus less on long term incarceration and more on programs and treatments, particularly education and job training programs, which will help return youth to society as productive citizens and (b) juvenile offenders should not be confined in the same institutions as adult prisoners. These results, along with the responses in the remainder of the survey, serve to reinforce

the public's distinction between adult and juvenile corrections. This distinction must be the focus of continued study on the part of the professional correctional community.

Accreditation and the Administrative Orthodoxy

If the administrative orthodoxy is one of the most important variables in the actual daily functioning of the criminal justice system (Benton & Nesbitt, 1987; Gallas, 1984; Rosecrance, 1987:138), and if ACA accreditation is the best method of adopting and executing this administrative orthodoxy, why was there a negative correlation between standards compliance and both measures of resident well-being? All administrators in this research indicated that the development of policies and procedures similar to those required for ACA accreditation would be beneficial to the overall practice of juvenile detention. Each administrator understood that greater organization, standardization, and formalization of policies and procedures would help to reduce institutional complexity. This strategy was endorsed from the perspective that new and existing staff need clear guidelines regarding problem-solving. Only one administrator, who happened to be from an accredited facility, alluded to the potential of accreditation to generate bureaucratic dysfunctioning.

As applied to juvenile corrections, accreditation appears to be susceptible to bureaucratic dysfunctioning for several reasons. First, size of the institution appears to be a factor in deciding whether or not to pursue

accreditation. Because standards compliance is known to increase resistance to litigation and to create a more efficient institutional operation, accreditation is presumed to be a problem-solving strategy. Even though one institution in this sample pursued accreditation for the purposes of confirming its outstanding organizational practices, the administrators in the other accredited institutions made reference to an increased perception of liability and increased problems in the operation of a secure facility due to the incarceration of a more serious and violent offender. The perceptions of increased risk to the institution, staff, and residents appear to be a motivating factor to pursue accreditation through standards compliance.

Even the large juvenile facilities in this sample are extremely small in comparison to adult correctional facilities. This smallness carries with it an inherent limitation on amount of financial and staff resources. Since very few juvenile institutions are adequately staffed or overstaffed, the additional requirements associated with standards compliance place an increasing burden on staff who believe themselves to be already overworked. In this situation, the potential exists for standards compliance to become a burden through the additional amount of paperwork and staff time required to document compliance.

Means orientation. Much of the additional work results from the requirement for documentation which is aggravated by the inclusion of too many standards associated with adult

corrections and perceived by juvenile practitioners to be irrelevant. These extraneous standards help to create an attitude where staff try to reach compliance through the easiest method possible. The search for expediency in the face of being overworked promotes the adoption of a means orientation (Marquart & Crouch, 1985). A means oriented strategy for problem-solving places greater emphasis on compliance with the requirements of the standard versus the intent of the standard or its outcome.

A means orientation is a legalistic strategy on the part of correctional practitioners to avoid liability and to comply with court orders. Since juvenile corrections in this study has not had to respond to the intense pressures of litigation nor consent decrees, what motivates an organization to approach standards compliance through a means orientation? The pressure placed on staff appears to come from within organizational sources. Failure to achieve accreditation or to maintain an equivalent level of standards compliance may be linked to fiscal and personnel resources, salary increases, and promotions. Situations of this nature have occurred in Florida and Kentucky.

Reduced flexibility. The second reason for an inverse relationship between standards compliance and social climate is the reduction in problem-solving flexibility associated with the administrative orthodoxy. Within the legalistic system of adult corrections, prisoners' rights litigation has created an adversarial relationship between litigants and

correctional officials for two decades which has led to the identification and delineation of basic constitutional rights and conditions of confinement. This process has not occurred in juvenile corrections nor, as mentioned earlier, are the principles associated with adult corrections transferrable to juvenile corrections. Add to this situation the incredible variation in the goals and objectives for juvenile facilities, along with a pervasive inability to refuse admission to those juveniles requiring mental health services, and a high degree of flexibility becomes a prerequisite for successful daily institutional problem-solving.

The administrative orthodoxy associated with standards compliance can limit the set of solutions available for problem-solving (Weick, 1969:50). The loss of flexibility stems from the reduction in discretion available to direct care staff. When discretion is limited or restricted for those individuals who work directly with juvenile offenders, not only are decision-making powers reduced, but individual job styles are rejected. Rosecrance (1987) views this loss of power as a source of resentment on the part of many direct care workers, and one solution is to withdraw from interactions with juveniles only to the extent required by policy, procedure, or job description. This type of bureaucratic dysfunctioning parallels the findings of Lipsky (1971) where staff actually used rules and regulations to reduce their interaction with clients. The loss of power combined with a substantial increase in responsibilities, usually without

monetary compensation, creates a situation where staff may withdraw from contact with residents and generally become angry and dissatisfied with the job and with administration. Because staff attitudes are related to social climate, it is predictable that an increase by staff in job dissatisfaction would be translated into an increase by residents in dissatisfaction with social climate.

Creating problems. The third method by which standards compliance can move juvenile institutions to bureaucratic dysfunctioning is the tendency of an administrative orthodoxy to create rather than to solve problems. An example of how this operates is the relationship between standards compliance and density or institutional crowding. As previously noted, a marked positive relationship exists between standards compliance and density. Upon further analysis, the research sample can be divided into two groups of accredited and nonaccredited facilities. A comparison between these two groups on standards compliance reveals a striking difference. The four accredited facilities average 97.31% compliance, whereas the six nonaccredited facilities average 54.60% compliance with standards.

Gottfredson (1987:137) recommends and outlines a strategy to control institutional crowding which is based on the principles of the administrative orthodoxy. After reviewing the resources available, the institution defines its goals and objectives and delineates the type of offender to be incarcerated at the institution. Classification

systems and guidelines are developed so that only those individuals who meet the criteria are admitted to the institution. This approach presumes that overcrowding is a function of an excessive incarceration of inappropriate classes of offenders. By setting strict criteria and reducing discretionary powers at intake, institutional crowding can be controlled through the elimination of inappropriate referrals.

As applied to juvenile detention, bureaucratic dysfunctioning operates in the following manner. Admissions criteria in the form of standardized and formalized policies and procedures create the rules which govern intake for the accredited facility. These criteria become problematic when they include a class of offenders which demonstrates high levels of fluctuation. For example, possession of a controlled substance with intent to sell is the type of felony offense which automatically warrants detention. The number of felony referrals for this offense has increased dramatically in most jurisdictions. By reducing discretion in the intake process, increases in a certain class of referrals can lead to institutional crowding.

An additional factor which works to the disadvantage of accredited facilities is the perception that these institutions are so well run that they can accommodate additional detainees in excess of their rated capacity. It becomes increasingly more difficult for the administrator of an accredited facility to argue convincingly to a juvenile court

judge that the institution is not prepared to operate over capacity. The counterargument is that the institution is better staffed, more efficiently organized due to state of the art policies and procedures, and staff are better trained and more capable of handling crisis. Therefore, when protection of society requires the overcrowding of the facility, it becomes acceptable in the minds of judges because of the view that accreditation will ameliorate much of the adverse effects which crowding has on conditions of confinement.

Using these two rationales, one could predict that the accredited institutions in this study would have a significantly higher density than those institutions in the nonaccredited group. Unfortunately, this prediction holds true. The accredited institutions averaged 107.76% of their rated capacity for 1988, and the nonaccredited institutions averaged only 82.26% of their rated capacity. Not only is the difference in the means of these two groups statistically significant ($df = 8$; $t = -2.19$; $p < .05$), but the accredited institutions' average capacity for 1988 indicates institutional crowding. As will be explained in the following section, crowding not only contributes to bureaucratic dysfunctioning, it also is associated with a deterioration in social climate.

Rate of accreditation. At the recent meeting of the American Correctional Association, a report from the Division of Standards and Accreditation was presented to the Board of Governors. A comparison of the accreditation figures for

adult and juvenile institutions indicates that close to one-half of all adult correctional institutions are involved in the accreditation process. In contrast, approximately seven percent of all juvenile detention facilities are involved in accreditation. While this low level of endorsement for accreditation may be due to the lack of litigation in juvenile corrections or the resistance to standards compliance by juvenile court judges, the issues relating to (a) the amount of extraneous standards, (b) an insensitivity to the differences between juveniles and adults, and (c) the tendency of accreditation and administrative orthodoxy to move institutions to bureaucratic dysfunctioning provides sufficient information to warrant a wholesale revision of the standards and accreditation movement as applied to juvenile institutions.

Crowding

According to Gottfredson and McConville (1987), crowding is the contemporary crisis facing all aspects of American corrections. Three reasons for concern are identified, and each applies directly to juvenile corrections. First, crowding evokes a humanitarian concern. Gottfredson and McConville argue that it is "simply wrong and an affront to a civilized society to treat people in this inhumane fashion" (p. 5). It is the humanitarian argument which is most compatible with the rehabilitative ideal of juvenile corrections (Brown, 1983).

The second concern surrounding crowding is the legal

argument that crowding violates constitutional and civil rights. When linked to conditions of confinement, crowding can be a vehicle for prisoners' rights litigation on Eighth Amendment violations to enter juvenile corrections.

Crowding presents an additional legal concern when applied to conditions which indicate administrative neglect. For example, the February 16, 1989, edition of The Miami Herald referred to the crowded conditions at the Broward Juvenile Detention Center as "an act of criminal neglect" when the administration did nothing to improve the conditions of confinement which resulted from crowding. The litigation surrounding this incident led to a settlement which brought additional agencies and research groups into the institution (Barton, 1988). It is a situation like the overcrowding at Broward that may ultimately lead to a comprehensive scrutiny of detention practices by attorneys and researchers who are generally unfamiliar with juvenile corrections.

The third concern raised by Gottfredson and McConville is the pragmatic argument that it is foolish to incarcerate individuals in an institution which shows little promise of changing the offender even though the offender will be returned to the community. To the extent that it is difficult to substantiate positive gains accrued to the offender in a crowded institution, incarceration in a crowded institution would violate two tests for conditions of confinement set forth in Rhodes. First, since the goals of juvenile corrections include rehabilitation, incarceration would be

without penalogical justification. Second, incarceration in a crowded institution would violate the no-worse-off doctrine.

Adverse impact. It is a generally accepted principle that crowding causes problems in correctional institutions. The acceptance of this statement is so widespread that the adverse affects of crowding are considered to be a part of the conventional wisdom in juvenile corrections. The endorsement of this assumption about crowding comes from a variety of groups within the juvenile justice profession. At the national level, the Judges Council of the National Council on Crime and Delinquency (NCCD) addressed the issue of crowding as a part of a comprehensive review of juvenile detention policies. In their report, the Judges Council stated that "crowding deteriorates conditions of confinement" in juvenile institutions ("Judges Seek Reforms," 1989).

At the May 31, 1989, meeting of detention administrators, the Michigan Juvenile Detention Association addressed the subject of crowding in juvenile detention. The discussion led to the development of a position paper which was distributed throughout Michigan. Based on a review of current practices and recent experiences, the administrators unanimously supported a statement which indicated that crowding (a) increases behavioral problems between residents and (b) puts pressure on the ability to maintain the safety and security.

The adverse impact of crowding is experienced through

the reactions of direct care staff. Peterson (1988) reports that the anxiety of direct care staff increases when staff do not perceive that their numbers are sufficient to protect themselves in case of assaultive behavior by residents. Furthermore, the courts have provided very little support for the argument that crowded circumstances justify irregularities in staff behavior. In the case of a Florida detention administrator who hit a youth and claimed that the action was justifiable because of the need to maintain institutional control during a period of crowding, the court ruled that aggression by staff as a means of maintaining institutional control during periods of overcrowding was not a mitigating factor to excuse personal liability [H.C. by Hewett v. Jarrard, 786 F.2d 1080 (11th Cir. 1986)]. There is an expectation on the part of the court that juvenile correctional personnel are expected to comply with professional standards for job behavior whether or not the institution is crowded.

The relationship between standards compliance and crowding requires further investigation. The effects of standards compliance may have been masked or neutralized by the presence of crowding. Based on (a) the review of the literature, (b) the consistently negative correlations between density and the dependent variables, (c) the negative associations between standards compliance and the dependent variables, and (d) the significant difference between crowding in accredited versus nonaccredited institutions, it is reasonable to

conclude that crowding is having a powerfully negative affect on standards compliance. The question which remains to be answered is whether crowding is powerful enough to negate the positive effects associated with standards compliance and accreditation?

Recommendations

The importance of this research rests on how much it can contribute to the further exploration of quality of life in juvenile institutions. The intent was to use an initial inquiry from a global perspective to generate more accurate and more specific research questions for future investigations. These recommendations are listed below.

(1) The continued investigation into the relationship between conditions of confinement and social climate has been guaranteed through the allocation of substantial funding through the Office of Juvenile Justice and Delinquency and Prevention. The evaluation of proposals has stalled due to several problems with the research design. For example, it is not necessary to sample the entire universe of juvenile detention and training schools. A strategy to include all juvenile institutions would require a telephone survey and a number of random on-site inspections to verify the survey results. This particular design eliminates the input of juvenile offenders regarding their perceptions of social climate and well-being. Future work on conditions of confinement must continue to include the subjective or proximal data based on the perceptions or evaluations of

incarcerated youth.

(2) Standards compliance is an unmanageable variable. Current ACA efforts to establish a reduced set of standards for small detention facilities should serve as a model process for the selection of critical standards identified by practitioners which are associated with changes in the social climate and resident well-being. Future research using standards compliance must first streamline the standards so that they are reflective of juvenile institutions. There is currently too much emphasis on management and administrative policies and procedures as opposed to those standards addressing programs and services. Finally, the measurement of standards compliance should be changed from dichotomous measures to a Likert-type scale.

(3) Leadership may be the critical variable in explaining changes in social climate, residents' perceptions of well-being, and standards compliance. Two modifications of the research design are recommended for further investigations. First, leadership should be added to the list of independent variables used in this research to define conditions of confinement. A second design based on the interactive nature of the definitional components of quality of life should be set up so that executive leadership is the independent variable in a model explaining changes in quality of life, where QOL consists of social climate and standards compliance.

(4) The professional correctional communities need to

exercise greater restraint in applying principles from adult corrections to juvenile corrections. The correctional communities, particularly ACA and OJJDP, need to provide the leadership in emphasizing the distinction between adult and juvenile corrections. In particular, additional research should be distributed to policymakers so that they understand that public opinion has not abandoned treatment nor rehabilitation for juvenile offenders (Steinhart, 1988), that early intervention with troubled youth can be extremely effective without the use of incarceration (Berrueta-Clement, Schweinhart, Barnett, Epstein & Weikart, 1984), and that conditions of confinement may be one avenue to improve the effectiveness of institutional programs.

(5) Stepanik (1989) maintains that quality of life, conditions of confinement and constitutional rights of youth should be a more integral part of the accreditation process. In fact, he asks that an institution be able to document six months of normal operation without exceeding the rated capacity as a prerequisite to the evaluation of standards compliance. Future research should make density a test variable in a three-way relationship between conditions of confinement as the independent variable and residents' perceptions of well-being as the dependent variable. Density can be separated into two groups, overcapacity versus at or below capacity. Conditions of confinement can also be grouped according to accredited versus nonaccredited institutions.

Future use of the social climate scales should explore an item analysis of residents' responses to key questions in each of the 13 subscales. Item analysis would provide greater clarity regarding patterns of responding to specific issues. For example, the hypotheses in the position paper from the Michigan Juvenile Detention Association addresses two questions in the Safety subscale of the Contextual Dimension. An item analysis would provide a basis of comparison using residents' responses.

Summary

Krisberg and Schwartz (1983) challenged the juvenile justice community by using the disparity between the system's goals and the reality of its practices to call for a rethinking of the fundamental assumptions of juvenile justice. The call for rethinking raised issues of incoherencies and contradictions while suggesting new ideas for both theory and policy. It held out to the juvenile justice system an opportunity to rework basic assumption in light of changes in current practices. The results of this study parallel the Krisberg and Schwartz paper in that a rethinking of the relationship between conditions of confinement and social climate is needed.

Rethinking applies to the implied causality principle in Rhodes, especially from the perspective of juvenile corrections. Rethinking applies to the assumption of behavioral laws for corrections which automatically transfer from adult to juvenile corrections. Rethinking applies to the

minimizing of crowding and leadership as variables with profound impact on conditions of confinement and quality of life. Rethinking applies to the avoidance of a subjective or proximal perspective which raises the interesting question that all hypothesized relationships exist as predicted from a distal perspective.

Finally, rethinking applies to the dominant voice of the administrative orthodoxy. Instead of a constant guide for correctional development, the orthodoxy may play a role as a specific response to institutional problems. Orthodoxy may be an important part in every institution's growth and development, but its universal application to the questions of QOL need to be reevaluated.

APPENDICES

Appendix A

ACA Standards Compliance Topics

Section Topic	Number of Standards
Administration	41
Fiscal Management	18
Personnel	26
Training and Staff Development	15
Management Information and Research	9
Juvenile Records	13
Physical Plant	47
Safety and Emergency Procedures	14
Security and Control	33
Food Services	16
Sanitation and Hygiene	15
Medical and Health Care Services	44
Juvenile Rights	18
Rules and Discipline	25
Intake	14
Admissions Procedures	5
Programs	26
Communication	15
Release Preparation	13
Citizen and Volunteer Involvement	10
Total	417

Appendix B

Materials Requesting Permission to Conduct Research

Dear :

As a follow up to our telephone conversation, I want to formally request your approval to conduct dissertation research at your facility. the following is an explanation of the research proposal and data collection methods.

The research is concerned with quality of life. Consisting of two variables, conditions of confinement and resident well-being, the U.S. Supreme Court has indicated that one variable causes the other. To examine this causal relationship, I am asking the following research question: Is there a relationship between conditions of confinement as measured by ACA standards compliance and the combined perspectives of juvenile detainees regarding well-being? To answer this question, I would need to collect data from the following four sources:

1) Conditions of confinement will be measured by the percent of compliance with applicable ACA standards. Therefore, I would need an administrator or accreditation manager to assist me to complete a Visiting Committee Worksheet using the procedures for a standards compliance audit. The audit includes a facility tour, an administrative interview, and a review of your compliance with ACA standards. The process takes about 1-1/2 days.

2) To measure juvenile offenders' perceptions of institutional well-being or satisfaction, I would need to select between 10 to 20 juveniles who are between the ages of 14-17 years and who have been in your facility in excess of four days. This group would be given the Correctional Institutions Environment Scales (CIES).

3) From this group of students, I would need to interview approximately eight of them using a series of questions derived from the Child Well-Being Scales developed for the Child Welfare League of America. These questions permit a more in-depth discussion of quality of life. These two processes with juveniles take between three to four hours to complete. Copies of both assessment tools are included for your convenience.

4) Staff attitudes play an important part in the way residents view a detention setting. I would like to administer the Attitude Toward Prisoners scales to an equivalent number of staff.

The purpose of the research is not to compare one institution to another. Therefore, all information regarding the identities of the institutions, the staff, and the residents shall be kept in complete anonymity, meaning that no one other than myself will be able to associate data with subjects. Furthermore, neither staff nor residents will be asked to identify themselves on any of the questionnaires or forms. Finally, all participation must be voluntary on the part of residents and staff. For participating in the research, I will provide you with an analysis of the data which will not identify any respondents.

I hope to contact you within the next few weeks to schedule a time to conduct the data selection process. In the interim, would you please have someone on your staff complete the enclosed form and return it to me at the address on the letterhead. Thank you for your cooperation in this request. I look forward to seeing you and your facility.

Sincerely,

David W. Roush
Director

DWR/wb
Enc.

ADMINISTRATOR'S QUESTIONNAIRE

I. Basic Operational Statistics

_____ Total number of days care for 1988

_____ Capacity

_____ Number of direct care workers assigned to the afternoon (3-11 or 4-12) shift. (Do not include supervisory staff.)

II. ACA Standards and Accreditation

_____ Are you in the process of accreditation (have signed a contract with ACA)?

_____ Is your institution accredited?

If yes, please enclose a copy of your most recent Compliance Tally form from the standards compliance audit.

_____ Do you have a copy of the 1983 edition of the ACA Standards for Juvenile Detention Facilities?

Procedure for Soliciting Subjects

Identification of Subjects:

On the day of the on-site visit, institutional staff will identify and assemble in one room all subjects who meet the criteria of age and length of confinement. Staff will read the research statement listed below.

Statement by Staff to Residents:

Today, Mr. Dave Roush will be conducting a research project in this facility as a part of his studies at Michigan State University. Mr. Roush is familiar with juvenile detention; he is the director of the Calhoun County Juvenile Home in Marshall (Michigan) and is a past-president of the Michigan Juvenile Detention Association.

The research is about the quality of life in juvenile detention centers. As a part of the research, Mr. Roush would like to have the help of a certain number of you. He will ask you to fill out a survey which tells him how you feel about this place. He will also ask you several questions about what it is like to be detained here. The entire process takes about 3 hours.

Judge _____ (insert judge's last name) and Mr. _____ (insert detention superintendent's last name) have consented for each of you to participate in the research, if you want to do so.

Soliciting Statement by Investigator:

(Following the research statement, staff will leave the room, and the soliciting statement will be read by me to the qualifying residents.)

I am asking you to participate in this research. Here are the rules if you wish to participate:

1. No names will be used in the research so there is no way that anyone will know how you answer the questions.

2. I will not tell anyone on staff what was said in the research project.

3. No staff will be present during the research to see any answers or to hear any responses.

4. Mr. _____ (Superintendent's name) has agreed to these conditions for the research. No penalties will be permitted if you do not wish to participate.

5. You are free not to answer any question and you may stop any time you want to stop.

If you are interested in participating in this project, please raise your hand. I have a formula for figuring out how many of you will be needed. That number will be selected by drawing your number out of a hat.

(Assign a number to those who wish to participate.)

Additional Consent Statement:

Following the instructions for the administration of the social climate scales, read the following statement:

> "I would like to remind you that your participation is voluntary. You are free not to answer any questions, and you can stop any time you want. You indicate your voluntary agreement by completing and returning this form."

Appendix C

JUVENILE DETENTION FACILITIES AND SERVICES - 2nd Edition

Visiting Committee Worksheet

Facility: _____

Legend: M = Mandatory Standard
All unmarked standards are Non-Mandatory

C = Compliance
NC = Non Compliance
NA = Not Applicable

RA = Reassess
I = Interpretati
R = Revised
A = Added
D = Deleted

Administration, Organization and Management **2-8001 to 2-8041**

Standard	C	NC	NA	RA	Documentation/Comments
2-8001					
2-8002					
2-8003					
2-8004					
2-8005					
2-8006					
2-8007					
2-8008					
2-8009					
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2-8027					
2-8028					
2-8029					
2-8030					

Juvenile Detention Facilities and Services - 2nd Edition
Visiting Committee Worksheet
Page 2

Administration, Organization and Management **2-8001 to 2-8041**

Standard	C	NC	NA	RA	Documentation/Comments
2-8031					
2-8032					
2-8033					
2-8034					
2-8035					
2-8036					
2-8037					
2-8038					
2-8039					
2-8040					
2-8041					
TOTALS					

STANDARDS COMPLIANCE SUMMARY

SECTION	STANDARDS	N	C	NA	%
ADMINISTRATION	2-8001 to 2-8041	41			
FISCAL MANAGEMENT	2-8042 to 2-8059	18			
PERSONNEL	2-8060 to 2-8085	26			
TRAINING AND STAFF DEVELOPMENT	2-8086 to 2-8100	15			
MANAGEMENT INFORMATION AND RESEARCH	2-8101 to 2-8109	9			
JUVENILE RECORDS	2-8110 to 2-8122	13			
PHYSICAL PLANT	2-8123 to 2-8169	47			
SAFETY AND EMERGENCY PROCEDURES	2-8170 to 2-8183	14			
SECURITY AND CONTROL	2-8184 to 2-8216	33			
FOOD SERVICE	2-8217 to 2-8232	16			
SANITATION AND HYGIENE	2-8233 to 2-8247	15			
MEDICAL AND HEALTH CARE SERVICES	2-8248 to 2-8291	44			
JUVENILE RIGHTS	2-8292 to 2-8309	18			
RULES AND DISCIPLINE	2-8310 to 2-8334	25			
INTAKE	2-8335 to 2-8348	14			
ADMISSION PROCEDURES	2-8349 to 2-8353	5			
PROGRAMS	2-8354 to 2-8379	26			
COMMUNICATION	2-8380 to 2-8394	15			
RELEASE PREPARATION	2-8395 to 2-8407	13			
CITIZEN AND VOLUNTEER INVOLVEMENT	2-8408 to 2-8417	10			
MANDATORIES		(30)			
TOTALS (excluding Mandatories)		417			

Note: % = C/(N-NA)

Appendix D

ATP SCALE
(Modified for Juvenile Offenders)

Instructions: The statements listed below describe different attitudes toward juvenile offenders. There are no right or wrong answers, only opinions. You are asked to express your feelings about each statement by indicating whether you (1) Disagree Strongly, (2) Disagree, (3) Undecided, (4) Agree, or (5) Agree strongly. Indicate your opinion by writing the number that best describes your personal attitude in the left-hand margin. Please answer every item.

Rating Scale

1	2	3	4	5
Disagree Strongly	Disagree	Undecided	Agree	Agree Strongly

_____ 1. Juvenile offenders are different from most adolescents.

_____ 2. Only a few juvenile offenders are really dangerous.

_____ 3. Juvenile offenders never change.

_____ 4. Most juvenile offenders are victims of circumstance and deserve to be helped.

_____ 5. Juvenile offenders have feelings like the rest of us.

_____ 6. It is not wise to trust a juvenile offender too far.

_____ 7. I think I would like a lot of juvenile offenders.

_____ 8. Bad detention conditions just make a juvenile offender more bitter.

_____ 9. Give a juvenile offender an inch and he'll take a mile.

_____ 10. Most juvenile offenders are stupid.

_____ 11. Juvenile offenders need affection and praise just like anybody else.

_____ 12. You should not expect too much from a juvenile offender.

_____ 13. Trying to rehabilitate juvenile offenders is a waste of time and money.

_____ 14. You never know when a juvenile offender is telling the truth.

_____ 15. Juvenile offenders are no better or worse than other youth.

_____ 16. You have to be constantly on your guard with juvenile offenders.

_____ 17. In general, juvenile offenders think and act alike.

ATP SCALE (Modified) Page 2

Rating Scale				
1 Disagree Strongly	2 Disagree	3 Undecided	4 Agree	5 Agree Strongly

_____ 18. If you give a juvenile offender your respect, he'll give you the same.

_____ 19. Juvenile offenders only think about themselves.

_____ 20. There are some juvenile offenders I would trust with my life.

_____ 21. Juvenile offenders will listen to reason.

_____ 22. Most juvenile offenders are too lazy to earn an honest living.

_____ 23. I wouldn't mind living next door to a juvenile offender.

_____ 24. Juvenile offenders are just plain mean at heart.

_____ 25. Juvenile offenders are always trying to get something out of somebody.

_____ 26. The values of most juvenile offenders are about the same as the rest of us.

_____ 27. I would never want one of my children dating a juvenile offender.

_____ 28. Most juvenile offenders have the capacity for love.

_____ 29. Juvenile offenders are just plain immoral.

_____ 30. Juvenile offenders should be under strict, harsh discipline.

_____ 31. In general, juvenile offenders are basically bad people.

_____ 32. Most juvenile offenders can be rehabilitated.

_____ 33. Some juvenile offenders are pretty nice people.

_____ 34. I would like associating with some juvenile offenders.

_____ 35. Juvenile offenders respect only brute force.

_____ 36. If a person does well in detention, he should be let out on probation.

(from Melvin, et al., 1985)

Appendix E

CIES Subscale Descriptions

		Relationship Dimension
1.	Involvement	measures how active and energetic residents are in the day-to-day functioning of the program, i.e., interacting socially with other residents, doing things on their own initiative, and developing pride and group spirit in the program.
2.	Support	measures the extent to which residents are encouraged to be helpful and supportive towards other residents, and how supportive the staff is towards residents.
3.	Expressiveness	measures the extent to which the program encourages the open expression of feelings (including angry feelings) by residents and staff.
		Treatment Program Dimension
4.	Autonomy	assesses the extent to which residents are encouraged to take initiative in planning activities and take leadership in the unit.
5.	Practical Orientation	assesses the extent to which the resident's environment orients him towards preparing himself for release from the program. Such things as training for new kinds of jobs, looking to the future, and setting and working towards goals are considered.
6.	Personal Problem Orientation	measures the extent to which residents are encouraged to be concerned with their personal problems and feelings and to seek to understand them.
		System Maintenance Dimension
7.	Order and Organization	measures how important order and organization are in the program,

		in terms of residents (how they look), staff (what they do to encourage order) and the facility itself (how well it is kept).
8.	Clarity	measures the extent to which the resident knows what to expect in the day-to-day routine of his program and how explicit the program rules and procedures are.
9.	Staff Control	assesses the extent to which the staff use measures to keep residents under necessary controls, i.e., in the formulation of rules, the scheduling of activities, and in the relationships between residents and staff.

Note. From Moos, 1974:3.

CORRECTIONAL INSTITUTIONS ENVIRONMENT SCALE

1. The residents are proud of this unit.
2. Staff have very little time to encourage residents.
3. Residents are encouraged to show their feelings.
4. The staff act on residents' suggestions.
5. There is very little emphasis on making plans for getting out of here.
6. Residents are expected to share their personal problems with each other.
7. The staff make sure that the unit is always neat.
8. Staff sometimes argue with each other.
9. Once a schedule is arranged for a resident, he must follow it.
10. Residents here really try to improve and get better.
11. Staff are interested in following up residents once they leave.
12. Residents tend to hide their feelings from the staff.
13. Residents are expected to take leadership on the unit.
14. Residents are encouraged to plan for the future.
15. Residents rarely talk about their personal problems with other residents.
16. The day room is often messy.
17. If a resident's program is changed, someone on the staff always tells him why.
18. Residents may criticize staff members to their faces.
19. Residents on this unit care about each other.
20. The staff help new residents get acquainted on the unit.
21. Staff and residents say how they feel about each other.
22. The staff give residents very little responsibility.
23. Residents are encouraged to learn new ways of doing things.
24. Personal problems are openly talked about.
25. The unit usually looks a little messy.

26. When residents first arrive on the unit, someone shows them around and explains how the unit operates.

27. Residents will be transferred from this unit if they don't obey the rules.

28. There is very little group spirit on this unit.

29. The more mature residents on this unit help take care of the less mature ones.

30. People say what they really think around here.

31. Residents have a say about what goes on here.

32. There is very little emphasis on what residents will be doing after they leave the unit.

33. Discussions on the unit emphasize understanding personal problems.

34. This is a very well organized unit.

35. Staff are always changing their minds here.

36. All decisions about the unit are made by the staff and not by the residents.

37. Residents put a lot of energy into what they do around here.

38. Residents rarely help each other.

39. Residents say anything they want to the counselors.

40. The staff discourage criticism.

41. Staff care more about how residents feel than about their practical problems.

42. Staff are mainly interested in learning about residents feelings.

43. Things are sometimes very disorganized around here.

44. Staff tell residents when they're doing well.

45. The staff very rarely punish residents by restricting them.

46. The unit has very few social activities.

47. Staff go out of their way to help residents.

48. Residents are careful about what they say when staff are around.

49. Staff encourage residents to start their own activities.

50. This unit emphasizes training for new kinds of jobs.

51. Residents are rarely asked personal questions by the staff.

52. Many residents look messy.

53. If a resident breaks a rule, he knows what will happen to him.

54. Staff don't order the residents around.

55. Very few things around here ever get people excited.

56. Staff are involved in resident activities.

57. When residents disagree with each other, they keep it to themselves.

58. Staff rarely give in to resident pressure.

59. Residents here are expected to work toward their goals.

60. The staff discourage talking about sex.

61. Residents' activities are carefully planned.

62. Residents are always changing their minds here.

63. If one resident argues with another, he will get into trouble with the staff.

64. Discussions are pretty interesting on this unit.

65. Counselors have very little time to encourage residents.

66. It is hard to tell how residents are feeling on this unit.

67. Residents here are encouraged to be independent.

68. New treatment approaches are often tried on this unit.

69. Staff try to help residents understand themselves.

70. Counselors sometimes don't show up for their appointments with residents.

71. Residents never know when a counselor will ask to see them.

72. The unit staff regularly check up on the residents.

73. Residents don't do anything around here unless the staff ask them to.

74. Staff encourage group activities among residents.

75. On this unit staff think it is a healthy thing to argue.

76. There is no resident government on this unit.

77. Residents must make plans before leaving the unit.

78. Residents hardly ever discuss their sexual lives.

79. The staff set an example for neatness and orderliness.

80. Residents never know when they will be transferred from this unit.

81. Residents can call staff by their first names.

82. This is a friendly unit.

83. The staff know what the residents want.

84. Residents on this unit rarely argue.

85. Residents are encouraged to make their own decisions.

86. There is very little emphasis on making residents more practical.

87. Residents cannot openly discuss their personal problems here.

88. Residents are rarely kept waiting when they have appointments with the staff.

89. The residents know when counselors will be on the unit.

90. The staff do not tolerate sexual behavior by residents.

INVOLVEMENT

ITEM	SCORING DIRECTION	STATEMENT
1*	T	The residents are proud of this unit.
10	T	Residents here really try to improve and get better.
19*	T	Residents on this unit care about each other.
28*	F	There is very little group spirit on this unit.
37	T	Residents put a lot of energy into what they do around here.
46	F	The unit has very few social activities.
55	F	Very few things around here ever get people excited.
64	T	Discussions are pretty interesting on this unit.
73	F	Residents don't do anything around here unless the staff ask them to.
82	T	This is a friendly unit.

SUPPORT

ITEM	SCORING DIRECTION	STATEMENT
2*	F	Staff have very little time to encourage residents.
11*	T	Staff are interested in following up residents once they leave.
20*	T	The staff help new residents get acquainted on the unit.
29*	T	The more mature residents on this unit help take care of the less mature ones.
38	F	Residents rarely help each other.
47	T	Staff go out of their way to help residents.
56	T	Staff are involved in resident activities.
65	F	Counselors have very little time to encourage residents.
74	T	Staff encourage group activities among residents.
83	T	The staff know what the residents want.

EXPRESSIVENESS

ITEM	SCORING DIRECTION	STATEMENT
3*	T	Residents are encouraged to show their feelings.
12*	F	Residents tend to hide their feelings from the staff.
21*	T	Staff and residents say how they feel about each other.
30*	T	People say what they really think around here.
39	T	Residents say anything they want to the counselors.
48	F	Residents are careful about what they say when staff are around.
57	F	When residents disagree with each other, they keep it to themselves.
68	F	It is hard to tell how residents are feeling on this unit.
75	T	On this unit staff think it is a healthy thing to argue.
84	(filler item)	Residents on this unit rarely argue.

AUTONOMY

ITEM	SCORING DIRECTION	STATEMENT
4*	T	The staff act on residents' suggestions.
13*	T	Residents are expected to take leadership on the unit.
22*	F	The staff give residents very little responsibility.
31*	T	Residents have a say about what goes on here.
40	F	The staff discourage criticism.
49	T	Staff encourage residents to start their own activities.
58	F	Staff rarely give in to resident pressure.
67	T	Residents here are encouraged to be independent.
76	F	There is no resident government on this unit.
85	(filler item)	Residents are encouraged to make their own decisions.

PRACTICAL ORIENTATION

ITEM	SCORING DIRECTION	STATEMENT
5*	F	There is very little emphasis on making plans for getting out of here.
14*	T	Residents are encouraged to plan for the future.
23*	T	Residents are encouraged to learn new ways of doing things.
32*	F	There is very little emphasis on what residents will be doing after they leave the unit.
41	F	Staff care more about how residents feel than about their practical problems.
50	T	This unit emphasizes training for new kinds of jobs.
59	T	Residents here are expected to work toward their goals.
68	T	New treatment approaches are often tried on this unit.
77	T	Residents must make plans before leaving the unit.
86	F	There is very little emphasis on making residents more practical.

PERSONAL PROBLEM ORIENTATION

ITEM	SCORING DIRECTION	STATEMENT
6*	T	Residents are expected to share their personal problems with each other.
15*	F	Residents rarely talk about their personal problems with other residents.
24*	T	Personal problems are openly talked about.
33*	T	Discussions on the unit emphasize understanding personal problems.
42	T	Staff are mainly interested in learning about residents' feelings.
51	F	Residents are rarely asked personal questions by the staff.
60	F	The staff discourage talking about sex.
69	T	Staff try to help residents understand themselves.
78	F	Residents hardly ever discuss their sexual lives.
87	(filler item)	Residents cannot openly discuss their personal problems here.

ORDER AND ORGANIZATION

ITEM	SCORING DIRECTION	STATEMENT
7*	T	The staff make sure that the unit is always neat.
16*	F	The day room is often messy.
25*	F	The unit usually looks a little messy.
34*	T	This is a very well organized unit.
43	F	Things are sometimes very discouraged around here.
52	F	Many residents look messy.
61	T	Residents' activities are carefully planned.
70	F	Counselors sometimes don't show up for their appointments with residents.
79	T	The staff set an example for neatness and orderliness.
88	T	Residents are rarely kept waiting when they have appointments with the staff.

CLARITY

ITEM	SCORING DIRECTION	STATEMENT
8*	F	Staff sometimes argue with each other.
17*	T	If a resident's program is changed, someone on the staff always tells him why.
26*	T	When residents first arrive on the unit, someone shows them around and explains how the unit operates.
35*	F	Staff are always changint their minds here.
44	T	Staff tell residents when they're doing well.
53	T	If a resident breaks a rule, he knows what will happen to him.
62	F	Residents are always changing their minds here.
71	F	Residents never know when a counselor will ask to see them.
80	F	Residents never know when they will be transferred from this unit.
89	T	The residents know when counselors will be on the unit.

STAFF CONTROL

ITEM	SCORING DIRECTION	STATEMENT
9*	T	Once a schedule is arranged for a resident, he must follow it.
18*	F	Residents may criticize staff members to their faces.
27*	T	Residents will be transferred from this unit if they don't obey the rules.
36*	T	All decisions about the unit are made by the staff and not by the residents.
45	F	The staff very rarely punish residents by restricting them.
54	F	Staff don't order the residents around.
63	T	If one resident argues with another, he will get into trouble with the staff.
72	T	The unit staff regularly check up on the residents.
81	F	Residents can call staff by their first names.
90	(filler item)	The staff do not tolerate sexual behvior by residents.

Appendix F

Toch's Hypothetical Environmental Concerns

1.	Privacy	A concern about social and physical overstimulation; a preference for isolation, peace and quiet, absence of environmental irritants such as noise and crowding.
2.	Safety	A concern about one's physical safety; a preference for social and physical settings that provide protection and that minimize the chances of being attacked.
3.	Structure	A concern about environmental stability and predictability; a preference for consisting, clear-cut rules, orderly and scheduled events and impingements.
4.	Support	A concern about reliable, tangible assistance from persons and settings, and about services that facilitate self-advancement and self-improvement.
5.	Emotional Feedback	A concern about being loved, appreciated and cared for; a desire for intimate relationships that provide emotional sustenance and empathy.
6.	Social Stimulation	A concern with congeniality, and a preference for settings that provide an opportunity for social interaction, companionship, and gregariousness.
7.	Activity	A concern about understimulation; a need for maximizing the opportunity to be occupied and to fill time; a need for distraction.
8.	Freedom	A concern about circumspection of one's own autonomy; a need for minimal restriction and for maximum opportunity to govern one's own conduct.

Note. From Toch, 1977:16-17. The Contextual dimension (CNTX) is comprised of Activity (A), Emotional Feedback (EF), Privacy (P), and Safety (S).

Appendix G

Contextual Dimension (CNTX) of the Social Climate Scales

1. Residents respect one another's privacy.
2. Staff believe it is okay for residents to be alone.
3. There is at least one movie each week.
4. Residents are required to do some housekeeping chores each day.
5. The staff tell residents when they do well.
6. Residents have friends on this unit with whom they can share their problems.
7. This is a noisy unit.
8. I feel crowded on this unit.
9. Residents fight with other residents.
10. Residents have something to do every night.
11. This unit is quiet.
12. It is not important to me to have time to be alone.
13. It is dangerous on this unit when staff are not around.
14. The daily schedule includes time in the gym.
15. Staff threaten residents.
16. Staff often tease depressed residents.
17. Residents can stay in their rooms if they want.
18. Residents keep busy with their hobbies.
19. Residents are hardly ever bored on this unit.
20. Residents let their friends know they care about them.
21. I know that my family still loves me.
22. There is not enough privacy on this unit.
23. Weaker residents are sexually attacked.

24. I feel safe here.

25. Residents keep busy by watching T.V.

26. On this unit, a lot of time is spent with nothing to do.

27. There are times on this unit when residents can be alone.

28. Things are usually tense on this unit.

29. Staff care about resident's feelings.

30. Residents have to defend themselves on this unit.

31. There are some real dangerous residents on this unit.

32. Residents spend most of the day in school.

33. Residents feel loved by other people in this facility.

34. Residents on this unit believe that no one loves them.

35. If two residents are having a conversation, staff will walk up and listen.

36. Arts and crafts are a regular part of the activities on this unit.

37. Residents care about one another.

38. My family visits me.

39. If a resident believes he will be attacked, the staff protect him.

40. Residents are beaten by staff.

ACTIVITY

ITEM	DIRECTION	STATEMENT
91	T	There is at least one movie each week.
95	T	Residents are required to do some housekeeping chores each day.
99	T	Residents have something to do every night.
103	T	The daily schedule includes time in the gym.
107	T	Residents keep busy with their hobbies.
111	T	Residents are hardly ever bored on this unit.
115	F	Residents keep busy by watching T.V.
119	T	Residents spend most of the day in school.
123	F	On this unit, a lot of time is spent with nothing to do.
127	T	Arts and crafts are a regular part of the activities on this unit.

EMOTIONAL FEEDBACK

ITEM	DIRECTION	STATEMENT
92	T	The staff tell residents when they do well.
96	T	Residents have friends on this unit with whom they can share their problems.
100	F	Staff often tease depressed residents.
104	T	Residents let their friends know they care about them.
108	T	I know that my family stil loves me.
112	T	Staff care about resident's feelings.
116	F	Residents on this unit believe that no one loves them.
120	T	Residents care about one another.
124	T	My family visits me.
128	T	Residents feel loved by other people in this facility.

PRIVACY

ITEM	DIRECTION	STATEMENT
93	T	Staff believe it is okay for residents to be alone.
97	T	Residents respect one another's privacy.
101	F	This is a noisy unit.
105	F	I feel crowded on this unit.
109	F	It is not important to me to have time to be alone.
113	T	This unit is quiet.
117	T	Residents can stay in their rooms if they want.
121	F	There is not enough privacy on this unit.
125	F	If two residents are having a conversation, staff will walk up and listen.
129	T	There are times on this unit when residents can be alone.

SAFETY

ITEM	DIRECTION	STATEMENT
94	F	Residents fight with other residents.
98	F	It is dangerous on this unit when staff are not around.
102	F	Staff threaten residents.
106	T	If a resident believes he will be attacked, the staff protect him.
110	T	I feel safe here.
114	F	Things are usually tense on this unit.
118	F	There are some real dangerous residents on this unit.
122	F	Weaker residents are sexually attacked.
126	F	Residents are beaten by the staff.
130	F	Residents have to defend themselves on this unit.

Appendix H

CHILD WELL-BEING SCALES

INSTITUTION:

DATE:

Scale	Topic	Rating
1	Physical Health Care	1 2 3 4 5
2	Nutrition/Diet	1 2 3 4 5 6
3	Clothing	1 2 3 4
4	Personal Hygiene	1 2 3 4 5
5	Furnishings	1 2 3 4
6	Overcrowding	1 2 3 4
7	Sanitation	1 2 3 4 5
8	Availability of Utilities	1 2 3 4
9	Physical Safety	1 2 3 4 5
10	Mental Health Care	1 2 3 4
11	Supervision	1 2 3 4
12	Fiscal Management	1 2 3 4
13	Staff Capacity for Child Care	1 2 3 4
14	Staff Relations	1 2 3 4
15	Continuity of Staffing	1 2 3 4 5
16	Staff Recognition of Problems	1 2 3
17	Staff Motivation to Solve Problems	1 2 3 4 5
18	Staff Cooperation with Caseworkers	1 2 3 4
19	Staff Acceptance of/Affection for Residents	1 2 3 4
20	Staff Approval of Residents	1 2 3 4
21	Staff Expectations	1 2 3 4
22	Staff Consistency of Discipline	1 2 3 4
23	Staff Teaching/Stimulation Residents	1 2 3 4
24	Abusive Physical Discipline	1 2 3 4 5 6
25	Deprivation of Food/Water	1 2 3 4 5
26	Physical Confinement	1 2 3 4
27	Sexual Abuse	1 2 3 4 5 6
28	Threat of Abuse	1 2 3 4
29	Adequacy of Education	1 2 3 4
30	Peer Relations	1 2 3 4

Scale 1

Physical Health Care

1. Adequate

There are no residents with untreated injuries, illnesses, or disabilities that could benefit from medical treatment.

Residents are taken for checkups promptly when symptoms of illness appear.

All residents receive normal preventive health care for their age.

2. Marginal

There are no residents with untreated medical conditions that could benefit from medical treatment.

But preventive medical or dental care (e.g., immunizations, dental checkups) should be improved.

3. Moderately Inadequate

At least one child is not receiving medical care for an injury or illness that usually should receive treatment.

The child's condition will probably correct itself even without medical treatment.

However, medical treatment now would reduce risk of complications, relieve pain, speed healing, or reduce risk of contagion.

4. Seriously Inadequate

At least one resident has an illness or disability that interferes with normal functioning.

Neither medical care nor a diagnostic assessment has been sought.

With treatment, it could be corrected or at least controlled.

However, without treatment, the illness or disability will worsen (though it is not life-threatening).

Include situations where a child has had some physical symptoms (e.g., pain or signs of contagious disease) for some time, but has not been taken for a medical exam.

5. Severely Inadequate

At least one resident is not receiving medical treatment for an injury, illness, or disability.

If left untreated, the condition is life-threatening, or will result in permanent impairment, or as a serious threat to public health.

Scale 2

Nutrition/Diet

1. Adequate

Residents are provided with regular and ample meals that meet basic nutritional requirements.

2. Marginal Adequate

Prepared meals often are nutritionally unbalanced and occasionally uneaten by residents.
Residents get food from the canteen in order to supplement their diet.

3. Mildly Inadequate

Prepared meals often nutritionally unbalanced and in insufficient amounts.
Fewer than three meals served per day; one hot meal always served.

4. Moderately Inadequate

May not serve one hot meal per day.
Residents complain that food tastes and smells bad or spoiled.
Residents complain of being quite hungry.

5. Seriously Inadequate

Residents suffer from some clinical symptoms of malnutrition, dehydration, or food poisoning.
Medical attention and/or rehabilitative diets are required.

6. Severely Inadequate

Residents are so severely malnourished or dehydrated (severe weight loss, anemia, etc.), or food poisoned (fever, vomiting), that hospitalization is required for this reason.

Scale 3

Clothing

1. Adequate

Residents have all essential clothing items and enough changes of clothes to be neat and clean.
Clothes need not be new, but are in good condition and fit adequately.
Clothes are consistent with time, place, and weather.

2. Mildly Inadequate

Residents have all essential clothes, but may have limited changes of clothes, or may lack some seasonally appropriate items.
Clothes are worn and often obviously mended, but not ripped, torn, or dirty.
Some clothes do not fit properly.

3. Moderately Inadequate

Residents are missing one or two essential clothing items, or some essential items are in such bad condition that they should not be worn.
Residents are improperly dressed for some of their normal activities.
Clothing is sufficient to protect residents from the elements.

4. Seriously Inadequate

Residents are lacking many basic and essential items of clothing.
There are so few clothes, or so few of the right kinds of clothes, that residents are sometimes unable to perform normal and necessary activities.
Clothes are sometimes insufficient to protect residents from the elements.

Scale 4

Personal Hygiene

1. Adequate

The residents wash or bathe daily.
Hair is combed and clean.
Clothes are changed regularly, even if not outwardly dirty.
Clean underwear is worn daily.

2. Mildly Inadequate

Residents wash or bathe when they are outwardly dirty rather than on a regular basis.
Hair may be uncombed but tends to be clean.
Clothes are changed only when dirty.

3. Moderately Inadequate

Residents wash or bathe regularly but appear to be dirty.
Hair is visibly dirty.
Residents emit body or mouth odor.
Clothes are noticeably dirty and residents may wear the same clothes for several days.

4. Seriously Inadequate

Residents do not bathe regularly.
Residents emit strong body odor and/or mouth odor.
Teeth are encrusted with decay matter.
Complaints about resident's hygiene have been made by staff.

5. Severely Inadequate

Due to poor hygiene, at least one resident is physically ill (e.g., intestinal disorder) requiring medical treatment.

Scale 5

Furnishings

1. Adequate

Has basic, essential furnishings, including day rooms, classrooms, kitchen, and bathroom facilities, that are in good condition and in working order.
Needed repairs or replacements are made quickly.
No more than one or two minor problems exist.

2. Mildly Inadequate

Has all essential appliances and furnishings in working order. Has most basic furnishings, but some are very worn though usable.
Needs two or more furniture items (e.g., mattresses, tables, chairs).
Quantity of several items insufficient in relationship to the number of youth detained (linens, towels, blankets, socks and underwear, and other clothing items).

3. Moderately Inadequate

Has all essential appliances and facilities, but most are old and in need of frequent repairs, resulting in non-operable periods.
Needs several additional furnishings (e.g., an insufficient number of beds, more desks needed in classroom, or larger tables or dining areas needed for meals).
Many items are insufficient in quantity in relation to institutional size.
Available utensils and furnishings often used for other than intended use.
May require space heaters or fans to adjust seasonally the indoor temperature.

4. Seriously Inadequate

Essential household and sanitary functions cannot be pursued due to a lack of (or inoperability of) essential kitchen appliances or bathroom facilities.
Few furnishings, most beyond repair or functional use.
There are very few linens, towels, blankets, socks, and underwear.
The institution has a "bare" look.

Scale 6

Overcrowding

1. No Overcrowding

Space for juveniles appears completely adequate.
There are designated, separate areas for various functions and personal activities.
There is sufficient space for normally private activities for all residents.

2. Mild Overcrowding

More space is needed.
There are designated, separate areas for various functions and activities, but these areas are used on a rotating basis so that they are not overcrowded.
Some but not all functions and activities may share the same space.
Space can be made available for personal activities.

3. Moderate Overcrowding

All rooms serve multiple functions.
There is a schedule of activities and designated space, but residents and staff compete for high priority areas of the institution.
Essential functions and activities are pursued with difficulty.

4. Serious Overcrowding

Severe competition exists for space among residents.
Fights and arguments about space may be common.
Space is frequently inadequate to pursue essential activities in a timely manner.
There is very little extra space to "move around."
Kitchen, dining, and living areas are used for multiple purposes and shared with other residents.

Scale 7

Sanitation

1. Adequate

Generally clean and orderly.
Carpet and tile swept often and washed as needed.
Regular dusting.
Pleasant to neutral odors.
Institution is orderly; items and materials are properly stored.
Linens clean; no vermin.

2. Mildly Inadequate

Untidy, dusty, minor dirt buildup.
Carpet and tile have many particles of debris and are spotted; swept sometimes but rarely washed.
Tables, shelves, objects are very dusty; cobwebs in corners.
Stale, stuffy odors; garbage may be stored improperly.
Day rooms and living units are not picked up; things are all over.
Some evidence of vermin.
Walls, windows, doors, bathroom fixtures are spotted, stained, and streaked with dirt.

3. Moderately Inadequate

Carpet and tile have dirt buildup; carpet smells.
Dust and dirt are layered in areas and accumulated in corners.
Institution smells of mildew, spoilage; bathroom has strong smells of urine/feces (none visible).
Perishable food found unrefrigerated; food services practices are questionable.
Evidence of vermin during the daylight.
Walls, doors, bathroom fixtures are discolored from and smeared with dirt and grease.
Linens are used after becoming dirty.

4. Seriously Inadequate

Institution is extremely dirty.
Institution smells overwhelmingly of urine/feces.
Trash and junk piled up in the living areas.
Food services uses improper sanitation procedures, rodent infestation, creeping vermin visible.
Residents sleep on dirty, discolored linens.
No youth are ill as a result.

5. Severely Inadequate

Institution exhibits many of the conditions described under (4), "Seriously inadequate."
As a result of this poor sanitation, at least one youth is physically ill requiring medical treatment.

Scale 8

Availability of Utilities

1. Available and Dependable

No regular or lengthy problems with availability of heat, water, lights, electricity, or fuel for cooking.

2. Available but Threatened Loss

The institution has all utilities (heat, water, electricity, fuel for cooking) available, but budget reductions threaten a reduction in service.
There has not been a previous pattern of service loss.

3. Erratic Availability

Essential utilities are on in the institution, but service is inadequate or inconsistent.
Though the heat is working, it does not provide sufficient warmth or is turned off during part of each day.
Complaints are normally responded to and repairs made in reasonable time.

4. Seriously Undependable or None Available

This institution has been without at least one essential utility for two days or more (e.g., heat, water, lights, electricity, fuel for cooking).
It frequently takes several days for service to be restored.
Residents have had to be temporarily relocated or reassigned.

Scale 9

Physical Safety

1. Safe

   There are no obviously hazardous conditions in the institution.

2. Somewhat Unsafe

   There are one or two hazardous conditions in the institution (but youth have not sustained injury as a result).

3. Moderately Unsafe

   There are many hazardous conditions in the home (but youth have not sustained injury as a result).

4. Seriously Unsafe

   There are one or two hazardous conditions in the institution a youth has sustained a physical injury requiring medical treatment as a result.

5. Severely Unsafe

   There are many obviously hazardous conditions in the institution.
   Youth have sustained physical injuries requiring treatment as a result.

Scale 10

Mental Health Care

1. Entirely Adequate

All youth who could benefit from professional treatment for a mental, emotional, or psychological problem are receiving such service(s).

2. Marginal

At least one youth who could benefit from mental health treatment is not receiving such services.

A youth has an emotional condition that causes him/her some stress and discomfort may require others to make minor adjustments in their relationship with the youth, i.e., give special help, make allowances.

Youth maintain their normal levels of performance but with some difficulty.

Youth's condition will probably not deteriorate, despite the absences of treatment.

3. Moderately Inadequate

At least one youth who could benefit from mental health treatment is not receiving such services.

Youth have emotional conditions that impair their performance in major roles and activities.

Youth have considerable problems in relating to others.

Youth disrupt others' activities to the point where sanctions are used against youth.

4. Severely Inadequate

At least one youth who could benefit from mental health treatment is not receiving such service.

Youth have emotional conditions that make them unable to function in one or more of the daily activities in the institution.

Youth are completely unable to function in one or more major roles, and/or make it impossible for other youth to function in their role.

Youth present a danger to the safety of others and/or of self.

Scale 11

Supervision

1. Adequate

Staff provide proper and timely supervision of resident activities inside and outside of the institution.

Staff know the youth's whereabouts and activities.

Definite and reasonable limits are set on resident activities and behaviors.

2. Marginal

Staff make rules for the residents and generally enforce them.

Sometimes staff are persuaded to allow or to tolerate certain activities that are against the staff's better judgment.

For the most part, youth respect the staff.

3. Moderately Inadequate

Staff make rules for youth but have difficulty enforcing them.

Youth often engage in inappropriate behaviors without the staff's knowledge.

Staff sometimes do not make enough effort to find out what residents are doing, or do not react with necessary sanctions when rules are broken.

Staff have difficulty getting the respect of residents, but they have not lost it entirely.

4. Seriously Inadequate

Staff have few, if any, rules for the youth and rarely enforce any.

Staff usually have no idea what the youth are doing and make no attempts to find out.

Staff show little or no interest in the youth's activities, as long as staff are not inconvenienced by them.

Scale 12

Fiscal Management

1. Adequate

Institution spends money wisely, putting the needs of residents first (e.g., food, clothing, education, and other programs have priority).

May buy things other than necessities, but rarely at the expense of necessities.

Tries to maintain some reserve in the budget for unexpected but important needs.

Economic problems are due to budget constraints, not poor money management.

2. Mildly Inadequate

Institution spends money appropriately, putting the needs of youth first.

Has a problem budgeting funds or line item funds over a fiscal year; tends to "run short."

Has to borrow often from other line items or other parts of the budget.

Never has reserve funds; spends everything in the line item, even if the budget would allow a small reserve.

Sometimes wastes money buying poor quality items, or overspends for items that are available cheaper at same quality, or buys too many perishable goods at one time.

3. Moderately Inadequate

Institution sometimes displays poor judgment regarding spending priorities.

Sometimes spends money on non-essentials for staff or building, while youth lack essentials.

Budgeting skills are poor; sometimes has to lay off staff because of a lack of planning and available funds.

4. Seriously Inadequate

Institution has constant or frequently recurring monetary crises.

Constant exercise of poor judgment in expenditures leads to youth being regularly and seriously deprived of necessities.

Buys essentials on credit, usually without prospect of being able to pay in a timely fashion.

Bad credit rating among vendors.

Scale 13

Staff Capacity for Child Care

1. Adequate

No personal limitations on capacity for child care.

Staff have no significant physical, mental-emotional, or behavioral limitations that interfere with the ability to care for youth.

2. Marginally Adequate

Staff have a physical, mental-emotional, or behavioral problem that threatens to interfere with child caring abilities (or that already has caused some erratic child care quality).

Examples are chronic physical illness, physical disabilities, mental or emotional illness, substance abuse, or criminal activity.

Staff require, and may be receiving, help or treatment for these problems, but there is no current necessity or plan for hospitalization, institutionalization or incarceration.

Problem is not of long duration, or if it is of long duration, has recently improved.

Supportive services (counseling, medical care, staff support groups, etc.)

Seems sufficient to stabilize the situation or to further improve it.

3. Moderately Inadequate

Staff have physical, mental-emotional, or behavioral problems that are of long duration, or if they are of short duration, have recently deteriorated.

Problems may be recurring and not completely curable.

Staff will be, are now, or recently have been hospitalized, institutionalized, or incarcerated.

Temporary substitute care for youth will be, is now, or was, used during staff absences, or provide a resource of new staff due to a high rate of turnover.

4. Severely Inadequate

Owing to a physical, mental-emotional, or behavioral problem, staff have no current capacity to care for youth, and employment is terminated.

Terminations of this nature occur frequently, more than twice a year.

Staff turnover exceeds 40 percent annually.

Scale 14

Staff Relations

1. No Significant Discord

Staff relations are good; only infrequent, normal disagreements occur.
There is mutual tolerance and conflicts are resolved quickly; channels of communication kept open.
Staff have close, positive emotional ties.
Youth are never drawn into arguments or disagreements between staff.
There is never any threat of violence between staff, and never any name-calling.

2. Moderate Discord

Staff have more than the usual amount of disagreements.
There are attempts at problem-solving, but these are not always successful; channels of communication may temporarily close.
Talk becomes abusive and derogatory at times.
Threats of violence may occur.
Youth are sometimes drawn into arguments between staff.

3. Serious Discord

Staff seem to have more periods of argument than of peace and harmony.
Since contacts between staff tend to result in conflict, contacts on all except essential matters tend to be avoided.
There is little tolerance of certain staff members, and "grudges" are harbored for long periods of time.
Youth may not only be drawn into arguments, but may be the focus of arguments.
In addition to abusive language and threats of violence, staff intentionally sabotage each other.

4. Severe Discord

There is a pattern of serious discord as described in (3) above.
In addition, physical violence resulting in personal injury or property damage has occurred and there are threats of more violence.

Scale 15

Continuity of Staffing

1. Continuous Staffing

Staff are assigned to specific units, and they do not routinely work other units.
A permanent staffing pattern exists which regulates days off and the use of substitute or part time staff.
With the exception of illness or vacation, residents know who will be working each shift every day.

2. Moderate Stability

A permanent staffing pattern exists for over half of the staff; part-time staff work the remainder of the shifts.
Substitutes are drawn from a pool of part time staff.
Residents generally know who will be working each shift.

3. Moderate Instability

Staff rotate shift assignments on different units; even though it is not a regular schedule, a pattern of assignments is evident.
Part time or substitute staff are randomly assigned.
Residents generally cannot predict who will work the shift.

4. Serious Instability

Full time staff choose their assignments; part time staff regularly end up working the troublesome units.
No pattern exists regarding shift assignments.

Scale 16

Staff Recognition of Problems

1. Adequate: Good Understanding and Recognizes Responsibility

Staff understands the types of problems that residents have and generally agrees with each other about the severity of those problems.

Is aware of the degree to which residents' physical, social and/or emotional needs are not being met.

Staff understands own part in or contribution to the treatment of these problems.

2. Moderately Inadequate: Partial Understanding, Recognizes Only Limited Responsibility

Staff understands the types of problems which exist, but does not agree with each other about the severity of these problems.

May lack adequate knowledge about child development and institutional treatment.

Consequently, accepts only limited responsibility for the continued presence of problems.

Better understanding of the problems might lead to a greater responsibility for staff.

3. Seriously Inadequate: Recognizes No Personal Responsibility

Staff may have some understanding of residents' problems, but entirely fails to recognize the daily manifestations of these problems.

Accepts no responsibility for any unmet resident needs, even though some responsibility should be taken.

Brings up issues of cultural and racial bias; describes source of problems as genetic and unchangeable.

Is adamant that the family and society are solely to blame.

Scale 17

Staff Motivation To Solve Problems

1. Adequate: Shows Concern and Realistic Confidence

Staff are concerned about residents' welfare; residents' physical, social, and emotional needs are met.

Has realistic confidence in problem-solving skills and is willing to seek help when needed.

2. Marginally Adequate: Shows Concern, Lacks Confidence

Staff are concerned about residents' welfare and wants to meet their needs.

Lacks confidence in the ability to overcome problems, frequently makes failure of self-fulfilling prophecy.

May be willing for some reason to ask for help when needed.

Generally uses good judgment when problem-solving occurs.

3. Moderately Inadequate: Seems Concerned, But Careless

Staff seem concerned about residents' welfare and claim to meet their needs.

Has problems with carelessness, mistakes, and forgetfulness in trying to meet those needs.

May be disorganized, hurried, or distracted; may misread "signals" from youth; may exercise poor judgment.

Does not seem to intentionally violate proper staff role.

Shows genuine remorse about mistakes.

4. Seriously Inadequate: Indifferent, Apathetic

Staff are not concerned enough about residents' needs to resist temptations, e.g., to place their own needs for attention and approval above the residents.

One or more important physical, social, or emotional needs of residents are not being met.

Staff do not have the right "priorities" when it comes to child care work; may take a "cavalcuer" or indifferent attitude.

There may be a lack of interest in youth and in their well-being and development.

Staff do not actively reject their role.

5. Severely Inadequate: Rejection of Staff Role

Staff actively reject their role, taking a hostile attitude toward child care responsibilities.

Believe that child care is an imposition, something to do until a more important job can be found.

May take the attitude of doing merely the absolute minimum.

Scale 18

Staff Cooperation With Case Planning

1. Adequate

Staff are fully and actively involved in case planning, services, and/or treatment.

Accepts and actively uses suitable services, including follow through on information requested by the court, referral agencies, or other social services.

Shows concern about the total impact of services or treatment, makes complaints when warranted about inadequate service.

May not agree with everything suggested, but tries to be constructive in proposing alternatives.

2. Mildly Inadequate

Staff are not fully or actively involved in case planning and/or services.

This may be due to disorganization and/or staff ambivalence about case planning services.

Follows through on referral information, but sometimes not in a timely manner.

Tends to wait for case worker suggestions about what to do with residents; may complain about services without proposing alternatives, but does accept advice and direction.

3. Moderately Inadequate

Staff are only minimally involved in case planning services; there is a pattern of passive resistance to service providers.

Accepts advice and direction verbally, but will not follow through or cooperate without constant prodding.

Participates in case planning without much enthusiasm or only at the minimally acceptable level.

Occasionally becomes hostile and indignant with case planners' suggestions and advice.

4. Seriously Inadequate

Actively resists any case planning involvement.

Actively sabotages services when persuaded or coerced into using them.

Openly hostile towards service providers; argues the child care staff know what is best for residents.

Staff tends to avoid interaction with other agency workers.

Scale 19

Staff Acceptance of Residents

1. Very Accepting

Staff are very accepting of residents.
Encourages and warmly responds to residents' presence and emotional responses.
Often speaks about residents' accomplishments and good behavior.

2. Fairly Accepting, But With Reservations

Few, if any, spontaneous gestures or expressions of acceptance, but will describe resident positively if asked.
Rarely initiates physical contact, but will usually permit residents to initiate contact and will respond.
Places limits on type, time, or length of attention.
May sometimes prefer some residents over others, but does not exclude any.

3. Not Accepting, But Not Openly Rejecting or Hostile

Staff tend to describe and speak of residents in matter-of-fact or objective terms.
Do not appear to like physical contact.
Tries to restrict interaction and attention to those activities relating to the job description.
Seems uncomfortable when residents express emotions towards staff.
May show persistent favoritism.
Seem confused about feelings toward youth.

4. Openly Rejecting or Hostile

Consistently speaks to and about residents in deprecating, resentful, or angry way.
Usually does not allow casual interaction with residents, and tries to minimize or avoid routine contacts.
May punish residents' request for attention.
Declines to help and support residents when they are seeking attention from staff.
May sometimes show attention to one resident for the sole purpose of making another resident envious, or to enhance the effects of subsequent rejection.

Scale 20

Staff Approval of Residents

1. Approval Is Primary Way Of Guiding Residents

Staff prefer to guide residents by rewarding behavior rather than by punishing misbehavior.
Praise may sometimes be spontaneous.
Criticism is limited and constructive in nature.
Staff do not have a retributive attitude.

2. Approval And Disapproval Both Used Conditionally

Punishment and disapproval are used as readily as rewards and praise, depending on childrens' behavior.
Approval given for specific acts, but not as a general encouragement and not spontaneously.
Staff value an "eye for an eye" or "just desserts" philosophy.

3. Disapproval Is Primary Way Of Guiding Youth

Youth are rarely praised or rewarded for appropriate behavior, but often tend to be punished or criticized for misconduct.
Punishment appears fair because it is linked to misbehavior in most cases.
Staff are very retributive; believe that goodness is its own reward or that rewards are actually bribes.

4. Excessive And Severe Disapproval Used

Residents' faults and shortcomings are clearly overemphasized.
Criticism/disapproval are disproportionate to actual behavior (youth are called "stupid,," "worthless," etc.).
Criticism/disapproval are not used in a fair and consistent way.
Staff give rewards only to compensate or atone for previous unfairness or overreaction.

Scale 21

Staff Expectations of Residents

1. Very Realistic

Staff have a good knowledge or good feeling for age-appropriate behaviors.

Gradually encourages increasingly mature behavior, but takes care not to frustrate residents.

Helps residents on tasks as needed, but does not allow residents to give up own efforts too soon.

Staff display flexibility in responding to resident demands and offer options to residents.

When staff make mistakes, they are readily acknowledged and corrected.

2. Somewhat Unrealistic, But Open To Improvement

Staff have fair knowledge of age-appropriate behaviors, but youth sometimes are held to too high or too low a standard.

Sometimes staff make demands that frustrate both residents and other staff, or, alternatively, sometimes staff do not allow youth to practice new behaviors.

But only rarely do staff punish youth for inability to comply with demands, or for trying new behavior; staff seem more confused than angry.

Staff are open to advising guidance; want to be realistic with youth and understand their needs and capacities.

3. Somewhat Unrealistic, And Not Open To Improvement

Same as description for (2) above, except that staff are indifferent or angry when residents cannot comply with demands, or when they attempt exploratory behaviors.

Staff are not very flexible and not open to advice.

4. Very Unrealistic

Staff either have very poor understanding of age-appropriate behaviors, or make unrealistic demands of youth despite some understanding.

Often punish residents for inability to comply with demands, or for attempting more mature behavior; rarely try to help youth to comply.

There may be daily conflicts about expectations regarding residents' behavior; residents become reluctant to explore or innovate.

Staff may refuse to acknowledge the concept of age-appropriate behavior, or may believe that their expectations are, in fact, appropriate; staff become hostile on this subject.

Youth may exhibit some developmental delays or emotional stress due to this situation.

Scale 22

Consistency of Discipline

1. High Consistency

Staff always follow through on promised rewards and punishments with youth; rarely will contradict themselves; youth know what to expect; consequences fit the behaviors.

2. Marginal Consistency, But Open To Improvement

Staff do not always follow through on sanctions.

Sometimes will contradict themselves, but make corrective efforts when inconsistencies are brought to attention.

Consistency is understood and valued, but staff sometimes forget, act impulsively, etc.

3. Marginal Consistency, But Not To Improvement

Same as description for (2) above, except that youth do not always know what to expect and staff seem indifferent to this.

Staff do not seem to value consistency, or perhaps don't even understand it.

4. Low Consistency

Staff often react indiscriminately or inconsistency to resident behavior; punishment often does not fit behavior.

Staff may be hostile when problems are brought to attention.

Staff may believe that they are consistent, according to their own logic; may claim that their behavior (punitive emphasis) benefits youth (e.g., helps youth cope with the "real world").

Scale 23

Staff Teaching

1. High Activity

Staff promote and maintain conversations or discussions; encourage youth to relate stories, give opinions, or demonstrate skills.

Staff spend time during the shift with youth engaged in child-centered activity.

Staff ask often about progress in school work and help with homework, if requested.

2. Moderate Activity

Staff do not usually encourage youth to perform skills or give opinions, but will be attentive when initiated by youth.

Staff do not often initiate child-centered activities, but respond to residents' request to do so to extent possible.

Staff will try to include residents in activities that may not be child-centered.

Provide a place to do homework and ask about it, but discourage requests for help.

Seem open to guidance and advice on teaching and communicating with youth.

3. Passive Approach, Some Deprivation

Staff tend to be inattentive or indifferent to residents' attempts at conversation or at engaging staff in activities.

Usually prefer residents to teach or entertain themselves with magazines, board games, or T.V.

Offer to participate in activities that fit staff's interests, rather than residents'interests.

Little interest in residents' homework, but allows them to do it without interruptions.

Seem to be "putting up" with youth; show little enthusiasm.

4. Considerable Deprivation

Staff tend to ignore or avoid youth; attempts to gain attention may result in hostility.

There are few, if any, magazines, board games or other educational materials available to youth, except T.V.

Residents have no set time or place to do homework; staff do nothing to prevent interruptions.

Communication is monosyllabic (usually restricted to ordering youth to quiet down) or is corrective in nature (pointing out errors), rather than constructive (showing the right way).

Staff may think youth are a "bother," or that they purposely try to "get on their nerves."

Scale 24

Abusive Physical Discipline

1. No Physical Discipline

Residents are never physically punished.
Out-of-control residents are physically restrained using passive, non-aggressive techniques.
Physical restraint is applied by staff until the resident regains composure.
No mechanical restraints are used.

2. Physical Discipline Through Mechanical Restraints

Same as above (#1) except mechanical restraints are applied to an out-of-control resident.

3. Inappropriate Use of Physical Discipline

Physical punishment used by staff, such as, pushing, shoving and slapping of residents.
Mechanical restraints applied without clear guidelines and/or left in place after resident regains composure.

4. Excessive or Inappropriate Physical Force, Injuries Resulting

Physical force includes hitting or striking with the fist.
Injuries and bruises have occurred.
Residents fear being injured or hurt by staff.
Mechanical restraints apply to residents who are not out-of-control.

5. Abusive Physical Discipline

Staff strike or beat residents; injuries have required medical attention.
Child abuse investigations have occurred; staff have been found guilty and disciplinary action has been taken.
Staff have been terminated because of abusive physical discipline.

6. Criminal Physical Discipline

Same as above (#5) except injuries have required hospitalization.
Criminal charges have been filed against staff.

Scale 25

Deliberate Deprivation of Food/Water

1. No Deprivation

Food and water never deliberately or intentionally withheld from youth; this is never used as a means of punishment.

There may be restrictions on type of food (e.g., candy, soda pop, desserts) for non-disciplinary reasons (e.g., medical restrictions due to diabetes, allergies, obesity, hyperactivity, etc.).

2. Mild Deprivation, But Not Abusive

Some deliberate or intentional withholding of food within acceptable limits (e.g., restricted access to canteen or store privileges due to misbehaviors).

Loss of evening snack privileges due to misbehavior or an early bedtime.

Deliberate withholding of desserts on meal trays during periods of confinement.

Water is never withheld.

3. Moderate Deprivation

Deliberate or intentional limitation of quantities of food at meals.

Extended periods of restriction on type of food for disciplinary reasons.

Deliberate attempt to use hunger as a form of punishment.

4. Serious Deprivation

Residents are deliberately or intentionally not fed or given water for at least one day, or fed minimal and nutritionally and adequate food for several days.

Youth may become very hungry and thirsty; clinical symptoms of malnutrition or dehydration may be indicated.

5. Severe Deprivation

Due to deliberate deprivation of food or water, a youth is so severely malnourished or dehydrated (e.g., severe weight loss, anemia) that medical attention and/or hospitalization is required.

Scale 26

Physical Confinement

1. No Physical Confinement Or Restriction

Youth are never deliberately confined, bound, or mechanically restrained in any way as a means of punishment.

2. Mild Confinement, But Not Abusive

Confinement used occasionally in an acceptable way to discipline youth; for example, youth may be confined to a room for several hours (room confinement does not exceed six hours in length); youth may be required to be quiet while in confinement.

Movements of youth are never physically restricted by mechanical restraints.

Youth are placed in no physical or emotional danger.

3. Moderately Excessive Confinement Or Restriction

Confinement and/or restriction used in questionable manner.

Examples:

Room confinement does not exceed six hours in length; out-of-control residents may be mechanically restrained until they have regained control.

Room confinement exceeds six hours but does not go beyond 24 hours; no mechanical restraints are used.

Room confinements do not exceed 24 hours; out-of-control youth are mechanically restrained until they regain control.

4. Seriously Excessive Confinement Or Restriction

There is potential for physical and/or emotional harm.

Examples:

Room confinement may exceed 24 hours.

Use of mechanical restraints continues for a period of time after youth have regained control; restraints remain in place as a form of punishment.

Scale 27

Sexual Abuse

1. No Sexual Abuse Nor Impropriety

Staff do not sexually abuse nor provoke youth in any of the ways listed below, nor do they allow anyone else to do so.

2. Sexual Suggestiveness

Sexually provocative comments are made to a resident, or a resident is shown suggestive, erotic or pornographic materials.

There have been no sexual approaches to the resident, and no molestation is suspected.

3. Sexual Harassment

A youth is being harassed (encouraged, pressured, or propositioned) to perform sexually.

No sexual activity has actually occurred.

4. Sexual Exhibitionism

A staff member has exposed himself or herself sexually in front of a resident (e.g., exposure of genitals, masturbation).

Participation by the resident was solicited, but did not do so.

5. Sexual Molestation

A resident has been sexually molested (e.g., fondled breasts or genitals; forced resident to exhibit himself or herself) by someone in the institution (staff or another resident).

6. Sexual Intercourse

Resident was sexually abused; sexual intercourse occurred (anal, genital, or oral). Perpetrator was staff or other resident.

Scale 28

Threat of Abuse

1. No Verbal Or Physical Threat Of Abuse

No verbal or physical threats of abuse or harm are made against residents.

Threat of room confinement or passive physical restraint should not be considered a threat of abuse or harm.

2. Indirect or Implied Verbal Threat Only

No direct or specific threats of abuse or harm are made.

Staff say they "feel overwhelmed by the residents," "might hurt a resident," "fear residents might have an accident," "get so mad at residents they don't know what might happen," etc.

3. Direct Verbal Threat

Direct, specific, verbal threats of harm or abuse are made against the residents.

May also include indirect threats.

Threats are such that, if carried out, physical or emotional harm to a resident could result.

Included would be threats of physical abuse, deprivation of food or water, sexual abuse, etc.

There have been no attempts to carry out such threats.

4. Direct Physical Threat, But No Actual Harm

Residents are placed in dangerous situations (e.g., alone with a group of staff or residents outside the view and earshot of others).

No actual injury or harm occurs, even though resident may have been frightened.

Scale 29

Adequacy of Education

1. Educational Needs Adequately Met

Residents are enrolled in a class or program which is appropriate for their abilities.

Specialized educational needs are met.

If resident is performing poorly, it is not for lack of adequate support.

2. Some Problems With Meeting Educational Needs

Resident requires remedial tutoring or some specialized instruction in one or two subject areas.

Specialized instruction and tutoring is unavailable.

3. Serious Problem With Meeting Educational Needs

Residents have diagnosed educational, emotional, or physical disabilities that require a specialized curriculum, school, nor environment.

Inability to service these problems prevents residents from keeping up in all subject areas.

4. Severe Problem

Resident refuses to participate in the school program.

Scale 30

Peer Relations

1. Peer Relations Generally Positive With Few Conflicts

   There is mutual tolerance and conflicts are resolved quickly.
   Residents participate adequately in school, recreation, and other activities.

2. Youth Often In Conflict With Peers, But Some Contacts Remain Positive

   There are attempts at problem-solving, though not always successful; some mutual tolerance exists.
   Youth may be temporarily excluded from some activities, or have some privileges revoked.

3. Youth's Behavior Very Disruptive Of Peer Relations, But No Request For Separation Have Been Made

   Other residents tend to avoid contact with a certain resident.
   Some interaction attempted but usually results in conflict.
   There are few attempts to solve problems.

4. Youth In Danger Of Alienation From Group Due To Conflicts

   Staff and/or peers request that a resident be reclassified, reassigned, transferred, or otherwise removed from the group.

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