

IV. Juvenile Justice***

The juvenile justice system was created a hundred years ago so that children in trouble would be given comprehensive, understanding and rehabilitative services to shape them into responsible adults, instead of harsh punishment alongside older offenders. Today, however, CDF continues to uncover practices which show the ideal of juvenile justice to be more myth than reality.

A. Children in Adult Jails

After nearly a year of investigation in 9 states, and on-site visits to almost 500 jails, CDF will issue early in 1975 a major report about children detained in adult jails. We estimate that the number of children — some as young as 10 years old — in adult jails and county and city lock-ups will exceed one-half million annually. What psychological harm comes to a child as steel bars close behind him? What does he learn from adult prisoners? What attention can be paid to children's special needs in an adult facility? Is such a practice either legal or in the best interests of the child?

We think not. CDF believes that the detention of children in adult jails must stop altogether. Five of CDF's young plaintiffs demonstrate the urgency of this reform. Three were jailed in the same South Carolina jail cell with adult prisoners. Two others were detained in the same cellblock where their cell doors were left open overnight. All were brutally raped and beaten as a result. We since have determined that all of the county jails in the state of South Carolina have detained children in the last two years. CDF has filed suit to enjoin this statewide practice and for damages to these particular youngsters. We also will work to see that every state ensures conditions of safety and separateness of children from adult prisoners. (Copies of the jail report will be available in February, 1975 from CDF's Cambridge office. For further information, contact Don Rademacher, Austin, Texas office.)

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B. Children of Women Prisoners

CDF will also issue a report in April, 1975 about the problems of children of women prisoners. A questionnaire sent to every prison in the country housing 25 or more women elicited information from prison administrators and the women themselves. Interviews conducted with women prisoners at Rikers Island in New York will supplement the national data. CDF hopes to identify what special services these children may need and how institutions might suitably respond. (Brenda McGowan, CDF New York office).

C. New Juvenile Justice Issues

CDF will undertake an analysis of the barriers to providing services to children in their homes and communities. Looking at selected service delivery systems and various financing and administrative schemes we will seek to determine whether the American rhetoric about the centrality of family is in fact undercut in reality. CDF will also examine the following specific areas:

- (1) *Banished Children.* CDF will investigate the extent and impact of sending children long distances from their home — sometimes hundreds of miles and even to another state — to provide social services for them. We recently filed suit against the State of Louisiana to enjoin placement of children in certain commercial institutions in Texas, some of whom offer inhumane at worst, and custodial, at best, treatment.
- (2) *Waiver of Children to Adult Criminal Courts.* CDF will examine how many children, under what circumstances, and with what consequences are waived from juvenile or family courts to adult courts.
- (3) *Mentally Retarded Juvenile Wards.* CDF will look at the dispositional options and programs for mentally retarded children in the juvenile system. We will examine the relationship between mental health and juvenile justice services, see whether and how these children fall between the cracks, and what appropriate services are needed.