

Cognitive Behavioral Intervention with Serious and Violent Juvenile Offenders: Some Historical Perspective ¹

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[Spencer Youth Center and Juvenile Corrections in the 1970s Intensive Treatment Unit](#)
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COGNITIVE BEHAVIORAL Intervention (CBI) is an increasingly popular strategy for juvenile justice policy makers and practitioners looking for an effective way to meet public expectations for safety, security, and rehabilitation while addressing the various needs of the juvenile offender population (Glick, 2006a). The popularity of CBI parallels the field's renewed emphasis on *what works* or interventions with empirical outcomes. These evidence-based studies identify CBI as an effective approach to juvenile delinquency (Latessa, 2006; Lipsey, 1999; Pealer & Latessa, 2004), including the difficult population of juvenile sex offenders (Bingham, Turner & Piotrowski, 1995; Calley, 2007; Marques, Day, Nelson & West, 1994; National Adolescent Perpetrator Network, 1993). These findings receive additional encouragement from recent brain research, particularly the intriguing links between cognitive behavior therapy and *neuroplasticity* or the application of cognitive restructuring to sustained changes in neurophysiology (Begley, 2007).

Discussions of the historical origins of the CBI (Glick, 2006b), particularly the first program applications with juvenile offenders, reveal the challenges of describing seldom documented events. Juvenile correctional practice seems to be historically-situated and subject to the multiple constraints of shifting values and politics and, therefore, periodically discussed, debated, and re-defined. The benefit of historical analysis (Schutz, 1963) is that all program development occurs within a historical context, and historical knowledge adds meaning to the current practitioner's understanding and appreciation of how CBI began and evolved.

Most program materials, evaluations, and archival information on early CBI efforts no longer exist. Juvenile institutions still do not do a good job of chronicling and saving important program information and data; however, one program warrants re-consideration. The Tennessee Department of Corrections' Intensive Treatment Unit (ITU), which started in isolation from early CBI programs (Glick, 2006b), represents one of the first systematic applications of a CBI with incarcerated serious and violent juvenile offenders.

Spencer Youth Center and Juvenile Corrections in the 1970s

ITU, a maximum-security treatment unit, and its predecessor the Control Unit (CU), a maximum-security disciplinary dorm, existed from 1972 to 1978 at Spencer Youth Center (SYC) (currently Woodland Hills), the state-operated training school for 14- to 16-year-old delinquent boys in Nashville. The CU became the ITU in January 1974 ² under the leadership of Howard G. Cook, the newly appointed SYC Superintendent, with the support of both Albert Murray, SYC Director of Residential Life and the current Commissioner of the Georgia Department of Juvenile Justice, and Sam Haskins, MSW, SYC Director of Treatment.

Like other juvenile correctional facilities of that time, SYC was in the midst of upheavals that would change the course of juvenile corrections. One change was what Rubin calls the *constitutionalization* of the juvenile justice system (Rubin, 2003). The Supreme Court decisions of the late 1960s, including *Kent*, *In re Gault*, and *Winship*, shifted the juvenile justice landscape in ways that were not anticipated by juvenile correctional practitioners in the early 1970s. These newly articulated due process rights became powerful targets for lawsuits (and the threat of lawsuits) within juvenile detention and corrections, and that liability prompted a redefinition of institutional best practices. The juvenile correctional community's desire to define good faith practice in response to these court decisions and the growing body of case law involving juvenile institutions was a motivating factor for the American Correctional Association (ACA) to develop professional standards for juvenile detention and juvenile corrections facilities (Farkas, 1977; Sechrest, 1978), the first editions of which appeared in 1979 (Commission on Accreditation for Corrections, 1979).

SYC administration approached juvenile corrections from a mainstream perspective, stressing the importance of a therapeutic milieu characterized by order, discipline, education (general, remedial, and vocational), and recreation. The program mirrored Shireman's (1963) model of an effective correctional facility, including healthy experiences with authority, effective use of limits, socially acceptable achievement, positive peer relationships, positive relationships with an older adult, strengthening of moral values, and counseling. SYC looked very much like most juvenile correctional institutions in the early 1970s.

A small counseling department consisting largely of counselors with bachelor's degrees coordinated the rehabilitative and treatment services for over 400 SYC youth. An accredited school program, with a vocation component and an auto shop, along with a campus-wide recreation program housed in a large, freestanding gymnasium, supplemented the counseling efforts. Like most juvenile institutions of that era, SYC depended upon the line staff or Group Leaders to have the primary impact on the youth through the group living or dorm life programs. Most discipline and instruction about life's lessons came informally and eclectically from the Group Leaders and their supervisors, the Dorm Managers. Every Monday afternoon, representatives from all programs met in the SYC school library with administrators to evaluate each youth for promotion or demotion in a levels system consisting of freshman, sophomore, junior, and senior status. Achieving senior level initiated the youth's preparation for release.

A small percentage of the SYC population created significant problems for staff. Institutional disciplinary measures included a) the loss of a limited number of privileges, including demotion within the levels system (or lengthening incarceration through the loss of progress toward release), b) isolation in the *cells*, a freestanding, 1920s-style jail complete with six jail cells, c) and *licks* or corporal punishment administered with a large paddle. These sanctions proved largely ineffective with this small group of offenders, due in part to their mental health problems.

The Control Unit

To address the management of these sometimes violent but always irritating youth, SYC Superintendent Billy McWherter organized a committee of administrators and created a 24-bed maximum security disciplinary dorm, called the Control Unit (CU). Youth who could not adapt to the institution or cooperate with staff were committed to the CU for a period of two weeks, especially when their behaviors were dangerous or harmful. The committee selected Albert Murray to direct the CU.

The purpose of the CU was to provide a new and more effective type of discipline that would stop the troubling behaviors of those disruptive youth who would not respond to the institution's system of rewards and punishments. Stated differently, the CU targeted those youth who would not stop their troubling and dangerous misbehavior after the use of corporal punishment and solitary confinement. SYC administration understood that it risked greater exposure to liability if it increased the use of *licks* and the *cells*, especially with this population of youth, so the CU also became an experiment with an alternative disciplinary strategy that administration hoped would prove effective.

CU residents initially spent the majority of the day watching television. Recreation and education occurred on an irregular basis, and the staffing ratio of 1:24 proved to be insufficient for adequate programming. Idleness and boredom were common precursors to inappropriate behaviors, so the SYC administration moved quickly to implement programs in the Control Unit.

Program development took several forms. Administration added Group Leaders and two masters-level counselors to provide treatment services. The additional line staff improved the staff-to-resident ratio to 1:12 during program hours. Administration also required special services staff to work with CU staff on special problems and hired both a full-time recreation coordinator and teacher. Finally, administration approved a daily individual and group counseling schedule along with a basic point system to evaluate resident behavior.

These additions led to space problems, ³ so administration secured funds to renovate the old print shop for use as a new and expanded CU, while staff suggested that administration rethink the name of the Control Unit. Instead of a disciplinary dorm, the Control Unit had become the primary treatment intervention for the institution's most difficult youth. Murray, as a newly promoted institutional administrator, provided the needed support to change the name from the Control Unit to the Intensive Treatment Unit (ITU) at the time of its move to the renovated print shop.

Fear of Liability

Of the issues and forces contributing to the creation of ITU, an important factor was the fear of liability. In a move that appeared proactive at the time, SYC invited the Vanderbilt University Law School Juvenile Clinical Legal Education Project to review legal rights and services for youth. As a result, SYC had law students interviewing residents and examining due process rights in all aspects of SYC discipline. The unintended effect was to create a hyper-vigilance about litigation. In fact, the differences in perspectives between these young attorneys and state corrections officials created such acrimony that one lawsuit forced the closing of ITU and all special housing programs in 1978. Therefore, concern about how to avoid litigation was a significant motivating factor for SYC administration, and the CU/ITU experiment offered a viable disciplinary alternative that did not include prolonged solitary confinement and corporal punishment, two hot-button issues for litigation.

The evolution of the ITU revealed many of the pitfalls associated with a disciplinary approach that was too reliant on punishment as the main strategy to reduce inappropriate behaviors. To the credit of the SYC administrators, they held fast to a commitment to create a disciplinary alternative that could eliminate the need for corporal punishment and reduce the frequency and duration of solitary confinement. Administration remained reluctantly open to additional program changes when evidence existed that one of its mainstream discipline strategies was not working or that persistence in using these strategies would only increase liability. Reports and opinions from the Vanderbilt law students based on case law placed administration on notice that they now "knew or should know" of this ineffectiveness. Additionally, administration received behavior reports from the ITU staff with data demonstrating the relative effectiveness of non-punitive interventions.

Intensive Treatment Unit

The ITU marked a surge in program development that followed a common ordering of goals and tasks. The immediate priorities were staffing and behavior management. First, ITU meant a

commitment to maintaining adequate numbers of competent staff and a direct care staff ratio of 1:12 during waking hours. Second, ITU also meant an improved strategy to eliminate dangerous and disruptive behaviors. Before treatment can occur, the environment needs to be safe, calm, and orderly. Based on the works of J. D. Burchard (Burchard, 1967; Burchard & Barrera, 1972; Burchard & Tyler, 1965) and a thorough review of the applied behavior analysis literature, ITU developed and implemented a system of time-outs as the first level intervention with inappropriate behaviors. Third, ITU needed a systematic approach to creating and strengthening appropriate behaviors. A revision of the token economy resulted in a new point system with a canteen and a levels system.

The simple behavioral techniques (individual contracts and a point system) served as a foundation for the expanded behavior management strategy. The central program development theme was that concepts should be simple, clear, and understandable for both residents and staff. Therefore, ITU staff worked hard to eliminate complication and confusion. ITU staff maintained that a competent behavior management system did two things: It eliminated or weakened inappropriate behaviors, and it expanded or strengthened appropriate behaviors.

Weakening Inappropriate Behaviors through Time-Out

The first program development task was bringing inappropriate behaviors under staff control and authority (Dahms, 1978). Therefore, ITU staff designed and implemented a strategy to eliminate and weaken dangerous and inappropriate behaviors through the use of response-contingent, same-area [4](#) time-out from reinforcement.

Leitenberg (1965, p. 428) maintained that the essential feature of time-out was a period of time in which positive reinforcement was no longer available. White, Nielsen, and Johnson (1972) expanded this definition by referring to time-out as an arrangement in which the occurrence of a response is followed by a period of time when reinforcement is no longer available. This definition best described the time-out used in ITU.

The effectiveness of time-out depends upon an ongoing positive reinforcement that can be interrupted (Ross, 1972). The use of time-out presupposed that ITU youth would be under relatively high reinforcement so that the termination of the positive reinforcement would have an aversive impact (Kanfer & Phillips, 1970). Ongoing reinforcement presented a difficult challenge in a juvenile corrections setting that, by definition, was supposed to be punishing. Furthermore, the use of tangible reinforcers brought about frequent criticisms that incarcerated juvenile offenders were treated better than disadvantaged youth who did not engage in delinquent behaviors. Hence, the importance of the relationship between staff and residents increased significantly because it was a source of social reinforcement and a way to generate an ongoing reinforcement in the institution.

Two factors that influence the effective use of punishment in an institutional setting are intensity (severity) and timing. Banks and Vogel-Sprott (1965) reported that the extent of a punisher's suppression effect on inappropriate behaviors was inversely proportional to the amount of time between the inappropriate behavior and the delivery of the punishment. Punishment that occurred near the beginning of a sequence of related behaviors (a behavior chain) was more effective than punishment that occurred near the end of the behavior chain (Walters, Parks & Cane, 1965). Therefore, ITU staff concluded that time-out would be more effective as a consequence for inappropriate behaviors when used as soon as possible after the first incident of inappropriate behavior (Steelman, 1976).

Corporal Punishment

The 1970s saw increased attention to the legal rights of children (Rodham, 1973) with the courts, the public, and the media tending to reject punishment, especially corporal punishment, as an acceptable strategy for work with children and youth. ITU staff supported the Department of Correction's desire to reduce the SYC dependency on corporal punishment, but administration needed an effective way to suppress inappropriate behaviors, especially the violent and dangerous behaviors associated with severe personality and mental health disorders.

A common sanction in juvenile institutions of that era was corporal punishment. It was also a lightning rod for child advocacy attorneys. Beyond the negative side effects of aggression toward the punisher, avoidance of the punishing situation, and hostility (Azrin & Holz, 1966; Watson & Tharp, 1969), corporal punishment usually included more harmful side effects such as tissue damage, embarrassment, and the modeling of aggressive behaviors (Killory, 1974). Even though the case law regarding the use of corporal punishment in public schools and institutions for children and youth was in its formative stages, the prevailing attitude among SYC administration was to seek out alternatives to corporal punishment that maintained a safe environment and reduced the possibility of litigation. Time-out emerged as the alternative of choice.

Strengthening Appropriate Behaviors through a Token Economy

ITU used a token economy (point system) (Ayllon & Azrin, 1968; Kazdin, 1977; Phillips, 1968) to expand and strengthen appropriate behaviors. Before the strengths-based movement (Butts, Mayer, & Ruth, 2005; Clark, 1996), the ITU approach worked hard to turn negatives into positives and to build on assets or strengths whenever and wherever possible. One example of this was the development of the point system.

ITU staff got approval from SYC administration to survey Group Leaders in the regular dorms to find out which youth misbehaviors created the greatest problems or difficulties. The survey data identified five main clusters of misbehaviors: 1. not being under supervision or being outside of an area where youth could not be observed; 2. inappropriate talk; 3. not cooperating; 4. allowing others to incite or encourage inappropriate behaviors; and 5. horseplay or fighting (rough housing and physical contact). These five categories became the target behaviors for the ITU point system, using one-word labels for each category, “area,” “talk,” “cooperation,” “ignoring,” and “gestures.” Using a positive approach, ITU staff structured the point system so that youth earned points by displaying appropriate behaviors within each definition or behavior category during the grading periods.

This new emphasis meant that ITU residents earned points for doing things appropriately as opposed to other token economies where youth lost points through fines for inappropriate behavior. While the behavior research would prove the negative approach (fines) to be more efficient in the time needed to reduce inappropriate behaviors, both approaches demonstrated similar levels of effectiveness. ITU staff rejected the use of fines on philosophical and practical bases. Philosophically, fining or taking away points sent a clear message to youth that the one way to succeed was by doing nothing wrong, an approach diametrically opposed to the ITU philosophy of behavior change through reinforcement. From a practical perspective, ITU staff concluded that it was better for direct care staff to work in a system that minimized punishment. Without extensive training and close supervision (luxuries seldom found in state-operated correctional systems), line staff tended to increase the intensity of punishers (increased fines or increased numbers of licks) and to expand the list of behaviors that qualified for punishment. This backward strategy also meant that, in the minds of staff, each youth started each grading period with the maximum number of available points and then staff members deducted arbitrary amounts of points for various specified and unspecified inappropriate behaviors that occurred throughout the grading period.

During the 1970s, a criticism of juvenile corrections was that it *institutionalized* youth, i.e., reinforced and taught behaviors that had little or no usefulness outside the institution itself. ITU staff believed that one contribution to institutionalization was the improper use of a token economy. To minimize institutionalization, it was important to construct a behavior management system that communicated clearly to youth and staff that the best way to succeed was to do things right and behave appropriately.

The turning point for ITU occurred with the publication of research findings on SYC’s two systems of discipline (Roush 1974). ITU staff compared the SYC’s institution-wide system of motivators/demotions and corporal punishment to the ITU system of time-outs, a token economy, and no corporal punishment. The data revealed a significant reduction in the use of solitary

confinement with the ITU system. In an extension of this study, Steelman (1976) reported time-out to be a more effective alternative than corporal punishment in the management of inappropriate behavior of delinquent males in a training school setting. Based on these two ITU projects, SYC administration concluded that there could be effective institutional discipline (as measured by solitary confinement, one significant source of liability) without corporal punishment (the number one source of concern about liability).

Cognitive Behavior Modification

Attention turned next to the counseling or cognitive intervention. ITU Counselor B. Thomas Steelman recommended strongly the use of Rational-Emotive Therapy (RET) (Ellis, 1962). After lengthy discussions about the best application and modification of cognitive principles with youth, ITU staff combined RET and Maultsby's Rational Behavior Training (RBT) (Maultsby, 1975) with behavior modification to form the ITU cognitive-behavioral intervention (CBI) strategy.

As Lipsey's (1999) research would later reveal, the non-directive, individual-centered, and psychoanalytical models for juvenile offender treatment showed little effectiveness. Practitioners, who inherently sensed the ineffectiveness of these approaches, sought alternate strategies. Harry Vorrath received considerable acclaim with his Positive Peer Culture (PPC) experience at the training school in Red Wing, MN. PPC became a popular option for juvenile corrections, and Vorrath moved to Michigan in 1972, where he introduced PPC to the state-operated training school and teamed with Larry Brendtro at the Starr Commonwealth Schools to publish the first text on PPC (Vorrath & Brendtro, 1974). Most officials overlooked the controversial peer-restraint practice because PPC, under Vorrath's watchful eyes, produced a coveted, positive institutional culture infused with a powerful rehabilitative model; *and* it required relatively fewer numbers of staff.

The other alternative was the well-researched and evidence-based behavior therapy (Bandura, 1969; O'Leary & Wilson, 1975; Stumphauzer, 1979) and its companion, cognitive behavior therapy (Mahoney, 1974; Meichenbaum, & Goodman, 1971). One behavior therapy technique, the token economy (Ayllon & Azrin, 1968; Kazdin, 1977; Kazdin & Bootzin, 1972), emerged as an effective method of behavior change with children and adolescents; and Ellery Phillips' (1968) success using a point-based token economy with delinquent youth became required reading for anyone using behavioral techniques in a juvenile justice setting.

The SYC counseling department's strong dislike of behavioral methods insured that ITU got the most troubled youth in the institution. It was as if a referral of the most severely mentally ill juvenile to ITU was the counseling department's way of punishing ITU for its errant ways. However, this practice supported the argument that referrals to ITU should be for the entirety of the youth's SYC commitment instead of just a two-week stay, as originally designed. Following the transition to the new building, the length of ITU referrals expanded.

Teaching Responsibility: Core Principles of the ITU Approach

ITU resulted from the belief that the most effective and efficient way to teach responsibility to juvenile offenders is through a cognitive behavioral approach. Given the number of juvenile institutions that have replicated the CBI originating with ITU in one form or another, what are the core principles of this early CBI with juvenile offenders?

Relationships

Teaching responsibility is the conceptual bedrock, and its implementation starts with good people who have significant, structured, and positive influences in the lives of juvenile offenders during their stay in the institution. Good people forming powerful relationships with youth is the glue that sustains behavior change over time. The primacy of the relationship manifests itself in different ways, and the ITU philosophy can be seen today in the vision statement of the National Partnership for Juvenile Services (NPJS) Center for Research and Professional Development, which states: "The most effective way to return a juvenile offender to a healthy, law abiding

lifestyle is through healthy relationships with healthy adults in healthy environments.” Therefore, replications of the ITU program philosophy express the concepts of healthy adults, healthy relationships, and healthy environments in program and staff development before cognitive behavioral strategies begin.

Megar’s Triangle: Choices, Consequences, and Respect

ITU counselor James R. Megar used a triangle to describe three elements of teaching responsibility during a new staff training session in 1974. Megar explained that without the full development of each side of the triangle (each interactive component), the entire concept would collapse. The success of ITU depended on a balance, harmony, and interconnectedness among all three sides. Each side of the triangle represents a core concept: a) an internal or cognitive change process, b) an external or behavioral change process and c) a grounding of staff and youth in the value of human worth. These three components translate for staff into three skill areas: choices, consequences, and respect. The ITU staff translated the triangle explanation into axioms for treatment: a) choices in the absence of consequences are meaningless, and b) treatment gains in the absence of respect are temporary and superficial.

Research-Based Practice

As much as any juvenile corrections program in the 1970s, ITU emerged from empirical research with children and adolescents. The ITU behavior management system drew specifically on a *what works* perspective based on empirical evidence with similar populations of children and youth (Aitchison & Green, 1974; Alevizos & Alevizos, 1975; Becker, Madsen, Arnold, & Thomas, 1967; Burchard, 1967; Burchard & Barrera, 1972; Burchard & Tyler, 1965; Drabman & Spitalnik, 1973; Krop, Calhoun, & Verrier, 1971; MacDonough & Forehand, 1973; Madsen, Becker, & Thomas, 1968; Phillips, 1968; Staats, 1971; White, Nielsen, & Johnson, 1972). Through access to the early unpublished and published works of Bonnie Camp (Camp, 1976; Camp & Bash, 1981; Camp et al., 1979), Raymond DiGuseppi (1975), Rudolf Dreikurs (Dreikurs & Grey, 1968; Dreikurs & Cassel, 1972), Paul Hauck (1967), Maxie Maultsby (1971, 1975), Rian McMullin (McMullin & Casey, 1975), Don Meichenbaum (Meichenbaum & Goodman, 1971), Myrna Shure (Shure & Spivak, 1982; Shure, Spivak & Jaeger, 1971), and Donald Tosi (1974), ITU staff delineated the specific applications of cognitive interventions with troubled children and adolescents.

Juvenile-Specific

From a juvenile justice perspective, core ITU assumptions were: a) juveniles are not merely small adults and b) while many of the concepts and principles that apply to adults may also apply to juveniles, there are substantial differences in adolescents that must be addressed. The previously cited research convinced ITU staff that it was a mistake to assume that adult-oriented cognitive interventions, concepts, and techniques automatically worked with juveniles. Bernard and Joyce (1984) independently drew a similar conclusion and published one of the first primers on the applications of CBI with children and youth. Most explanations of CBIs do not make this distinction clear enough (Glick, 2006a).

Evaluation Driven

Limited resources constrained the many evaluation efforts of ITU staff. Yet, the desire to provide evidence of change at the individual and systems levels produced sufficient evidence about reductions in confinement and the elimination of corporal punishment (Roush, 1974; Steelman, 1976) that ITU became associated with outcomes data. The ITU experience was the source of a) Darrell Ray’s important studies on crowding and density (Ray & Wandersman, 1981; Ray et al., 1978; Ray et al., 1982), b) the development of the therapeutic social climate in a residential treatment program for serious juvenile offenders (Roush & Steelman, 1982), c) the reduction in average lengths of stay (ALOS) in a residential treatment program, resulting in improved cost-effectiveness (Roush, 1999), and d) the significant improvement in residents’ perceptions of safety in a troubled urban detention facility (DeMuro, 2003). Each replication of the ITU experience emphasizes evaluation and quality assurance.

Summary

The history of a program's development is important for many reasons. While today's practitioners might question a lengthy foray into bygone issues, there is some truth to the notion that an indifference to history in any endeavor increases the likelihood that today's practitioner will make yesterday's mistakes. The absence of historical information about CBI programs means that facilities are on their own in the development of policies, procedures, and practices. A detailed history supplies ideas for programs and operations along with the meanings of concepts and principles that can aid in problem solving across time and situations.

More importantly, as the juvenile justice community redefines itself, the historical perspective provides some continuity between today's practitioners and the values and beliefs of the prior generation. It is difficult to know where a program or institution or system is headed if no one knows where it has been.

The historical perspective also explains how a CBI intended for the most difficult offenders in a juvenile corrections facility could gain popularity among short-term detention facilities. While critics maintain that the average length of stay in detention is far too short to use a cognitive behavioral strategy effectively, the historical perspective points to its utility. The CBI is useful and meaningful to detainees because it provides staff with an understandable and more effective way of building relationships, managing behavior, and increasing resident and staff safety. In response to the questions about average lengths of stay, the utility of the CBI is that positive behavior changes can be made with troubled youth in very short periods of time, even two weeks in temporary detention. However, the applicability of CBI to juvenile detention depends more on its utility to staff whose job tenure is sufficient to learn the CBI, to build skills to use with juvenile offenders, and more importantly to internalize the teachings so that they result in better and more effective job performance.

A seemingly natural appeal surrounds the CBI, which might explain its continued popularity beyond the favorable research data. The present emphasis on evidence-based practices confers on juvenile justice programs a need to embrace the scientific method or at least a more rigorous grounding in common sense. Aaron Beck (1976) understood this appeal so well that he began his classic text on cognitive therapies with the following quote from philosopher Alfred North Whitehead:

Science is rooted in what I have just called the whole apparatus of common sense. That is the datum from which it starts, and to which it must recur. You may polish up common sense, you may contradict it in detail, you may surprise it. But ultimately your whole task is to satisfy it. (Beck, 1976, p. 6)

The CBI continues to satisfy that task for juvenile justice programmers and practitioners.

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³ The LS/CMI is often described as a “fourth generation” risk assessment as it includes additional domains to document specific responsivity factors (e.g., transportation, mental health issues, etc.) as well as a case management portion to assist with the development of individualized case plans.

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¹ The author appreciates the comments of Dr. Bernie Glos, Wayne Liddell, Kia Loggins, Terry Martinek, and Albert Murray on earlier versions of this paper.

² The Tennessee Department of Corrections’ official publication, Historical Timeline: 1700-2003, lists the creation of the Intensive Treatment Unit (ITU) at Spencer Youth Center as one of the significant events of 1974 (p. 8). (Available at <http://www.tennessee.gov/correction/pdf/timeline2003.pdf>.)

³ The Control Unit was one large room on the first floor of the main residential dormitory. Entrance to the unit was through steel-reinforced double doors at one end of the room. There was no second means of egress. At one end, there were two rows of cots each separated by a small nightstand where youth could store some personal effects. At the other end, there were several wooden church pews in front of a table with a TV. On the other side was a modesty wall around a bay of sinks, toilets, and showers. There was no privacy; there were no staff offices; and there was only one small storage room for supplies.

⁴ Time-outs can occur in various locations. Many individuals and agencies used a time-out room. In an institution, use of isolation is problematic and requires increased staff supervision in order to guarantee resident safety. Furthermore, putting a juvenile offender in a time-out room seemed to increase the temptation on staff to lock the door to the time-out room when the resident was not cooperating with the guidelines of time-out and subsequently creating more work for the staff member regarding supervision. The alternative was to use a time-out that could be administered in the same location as the staff member. This would ensure better supervision, would avoid moving a youth to a different location, and would eliminate the sense of time-out as a room confinement. The options for a same location or “same area” time-out were to have the youth move to an empty part of the room and stand facing the wall or sit in a chair facing the wall.

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Juvenile Sex Offenders and Sex Offender Legislation: Unintended Consequences

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