

Adult prisons harden teens Young offenders groomed for life of crime

JUDI VILLA

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Nearly a decade after Arizona made it easier to send juveniles to adult prison, the state is churning out a tougher class of teenage criminals, who are hitting the streets young and angry and hurting more people.

Twice as many juveniles convicted of non-violent crimes now are being swept into the state's adult prison, where they are housed with rapists, robbers and murderers. More than one in four will graduate to a violent crime when they are released.

These teenagers have gone into an overcrowded and underfunded prison system that has largely overlooked their unique needs. They spend their formative teen years in a punitive environment meant for adults, where rehabilitation has typically been an afterthought. They grow up in cages in a culture of violence and racial segregation and can be isolated in lockdown 23 hours a day for months at a time. Anti-social behaviors become their norm.

The result: Vincent Cortez.

Cortez went to adult prison at 16 for getting high on carburetor cleaner. He already had two juvenile felony convictions - burglary and grand theft auto - so his transfer to adult court was automatic, even though all the crimes were non-violent.

Behind bars, punishment was doled out more swiftly than guidance, and Cortez learned to use his fists to gain respect or risk getting assaulted himself. He grew angrier, even hateful toward authority, and then he was released, with the same eighth-grade diploma he went in with and no job skills.

"I tried to get a job but when you've been locked up there ain't nothing you can put down there. . . . All I could literally do was write my name and my phone number on it," said Cortez, who had lived in group homes since he was 9.

"That's why so many people come back. It's just going out there blind."

Cortez lasted two months before he pointed a gun at a woman and took her car. He thought he could sell it for money to buy clothes and a bike. Now 20, Cortez is serving 7½ years for armed robbery.

"A mad scientist couldn't have invented a worse approach," said Dan Macallair, executive director of the Center on Juvenile and Criminal Justice in San Francisco. "This is exactly what you shouldn't do."

Backsliding

An *Arizona Republic* study of youths in adult prison shows:

- Non-violent juveniles are more likely than violent ones to come back to prison for committing a new violent crime within three years of release. Overall, 52 percent of non-violent juveniles commit a new crime after release, and more than half of those crimes are violent. Nationally, 26.7 percent of non-violent inmates return to prison within three years for committing a new crime. In Arizona, non-violent juveniles are four times as likely as non-violent adults to graduate to a violent offense.

- The average juvenile imprisoned as an adult for a non-violent crime in Arizona serves 32 months in prison, about twice as long as the national average for non-violent offenders. He comes out well before he is old enough to buy alcohol, with only a basic education, few job skills and no support system to prop him up. The state mandates only three hours of education a day. And Arizona has, for the most part, failed to provide significant re-entry programs to help juveniles coming out of adult prison transition back to the community. The federal government has doled out more than \$120 million since 2002 to fund re-entry strategies, but none of the grants has gone to the Arizona Department of Corrections. On average, non-violent juveniles are completely on their own, without any community supervision, 7.5 months after they are released.

- Arizona's cycle of recidivism comes at a hefty cost. Each day, the state spends nearly \$150 per juvenile inmate, roughly three times the cost for an adult. For about a dollar a day more, Missouri's Division of Youth Services has taken many juveniles convicted as adults out of the state prison and placed them in a secure, home-like facility. Those teenagers can undergo juvenile treatment until their 21st birthdays, when they can be released on parole if they are successful or sent to adult prison to serve the rest of their sentence. Only a handful of juveniles have moved to adult prison since 2000. Such dual jurisdiction sentencing is not allowed under current Arizona law.

Arizona Corrections Director Dora Schriro said she is rethinking the ways all inmates are prepared for release, and she acknowledged there has to be a different approach for youths. It's crucial to build skills such as literacy, sobriety and employability and to address anger management issues. It's also "in our best interest" to set up the youngest inmates for success, teaching them how to care for themselves and how to develop a housing plan, so they don't come back.

Schriro is in the midst of beefing up job training for juveniles, and the Minor's Unit recently started its first anger management support group.

It's unclear if such reforms will go far enough.

"One way or another, when the time is up, they're coming out," Schriro said. "The pressing question is, 'When they get out, who are they going to be and how do we want them?'"

In the mid-1990s, people across the country were fed up with juvenile thugs. They complained the juvenile justice system was a revolving door where young criminals thumbed their noses at discipline, kept right on committing crimes and avoided consequences because of their age.

Arizona, like many states, shifted from rehabilitation to punishment for juveniles, and in 1996, passed Proposition 102, making it easier to send them to adult prison.

"If you're going to commit that type of crime, you should be tried as an adult," said Maricopa County Sheriff Joe Arpaio, who supported Proposition 102.

Previously, juveniles faced a transfer hearing in front of a judge, who decided if they would stand trial in adult court. But after Proposition 102, transfer became mandatory for juveniles 15 and older accused of such violent crimes as murder, rape, armed robbery and drive-by shooting. Prosecutors, not judges, got discretion to transfer youths as young as 14. And minors with two prior juvenile felony convictions automatically went to adult court, even if all the felonies were non-violent.

In the eight years since voters approved Proposition 102, more than 1,300 juveniles have been sent to adult prison, a 130 percent increase over the previous eight years. Of those juveniles, 424, or nearly one in three minors imprisoned as adults, went behind bars for a non-violent crime.

Non-violent juvenile males are housed with violent ones in a special unit at the Arizona State Prison Complex-Tucson, where they are separated from adults by sight and sound. Although some states, such as Oregon and Florida, continue to segregate youthful offenders from older adults into their mid-20s to allow for more specialized programming, Arizona moves juveniles to adult yards at midnight on their 18th birthdays.

Last year, Arizona ranked eighth in the nation for the number of juveniles housed in adult prisons.

Prison officials insist even non-violent youths have a "terrific propensity for violence" and point to their discipline histories behind bars. Non-violent juveniles imprisoned this year average eight disciplinary infractions, about one more than violent offenders.

"To me, it is really clear that they have to be here," said Warden Charles Flanagan, who until recently oversaw the Tucson prison complex. "The risk or the danger is too great."

Opponents of Proposition 102 still question it, saying the law took away judges' discretion and sent juveniles into adult prison who probably didn't need to be there. The law did not provide for juveniles to return to the juvenile justice system for sentencing if their conviction was for a reduced charge that did not qualify for transfer.

Rhonda Michie, whose son, Brad Hansen, was shot to death by a 13-year-old classmate in 1995, said she still prefers the old system, where judges looked at cases on an individual basis. Juveniles who really needed to be punished in the adult system were being transferred before, she said. Jeremy Bach, now 22, was transferred into the adult system by a judge and is serving 22 years for killing Hansen.

Michie said she still worries that Bach and other children shuffled into the adult system aren't getting the help they need.

"It's a dead-end life. There is no hope there," Michie said. "I don't know what the answer is, but throwing away the key isn't the answer. When these kids come out, look out. All these angry, unskilled kids are going to be hitting the streets."

'Blueprint for failure'

Many of the kids who come into the adult prison system are not sympathetic. They are among the toughest and most violent in the state, and even advocates acknowledge there is a small percentage that will not change.

But in Arizona's adult prison population, non-violent criminals are least likely to commit a violent crime after release. Among the juvenile population, the opposite is true.

"You can learn a whole lot more bad things in here than good," said Brandon Alcorn, 18, who served the first six months of his 4½-year armed robbery sentence in the Minor's Unit.

State prison records indicate juveniles are far more likely than adults to be a known gang member and to have used a gun during the crime. They have higher incidences of substance abuse and mental health problems. Three out of four juveniles have nine years or

less of schooling; many are special-education students. More than half have a juvenile felony on their record. All of these factors make them more likely to reoffend.

Still, critics blame Arizona's prison culture for breeding violence and hopelessness instead of educating and rehabilitating youths.

"It's a gladiator school," said Donna Hamm, executive director for Middle Ground Prison Reform. "It's a hardening of your soul and your mind and your body. Your psyche hardens in order to survive in prison. That does not translate well into community social skills. That's where we're shooting ourselves in the foot. It's a blueprint for failure. We deserve what we get."

Because juveniles make up less than 0.5 percent of the overall prison population, they have typically received little programming. Only education programs are mandatory, until a minor receives his GED. The jobs they work are menial labor, like cleaning and raking rocks, which don't build skills that easily translate into jobs outside prison walls. Their impulsive behavior gets them into more trouble than adult prisoners and lands them in isolation, where they are strip-searched and shackled every time they leave their cells. Corrections officers in the locked-down units wear goggles and stab vests when they walk the corridors and deliver food; so do teachers.

"If that's what you do with a human being, and particularly with a child, he's going to come out angry, meaner and without any reason to figure out how to make it," said Carol Kamin, executive director of the Children's Action Alliance in Phoenix. "It's not rocket science. It's human behavior."

When juveniles are released, they may not understand how to apply their GED or how to navigate a society that makes it more difficult for convicted felons to get jobs or even rent apartments. It can be daunting for them to secure ongoing substance abuse treatment or stay on medications. And without a framework to survive on the outside, they commit more crimes and return to prison.

"The fundamental question is ... what are we going to do so that when they come out, they've got a chance?" Kamin said. "Most people don't think about it. Their lives go on. People are very busy. If people sat down and thought about it, I'm absolutely convinced they would say this is not right. We put them in (prison), they come out worse. They create more victims. This has got to stop."

Trying to rejoin society

When William Nabors was released from prison at 17, he had spent 2½ years in the Minor's Unit at the Tucson prison. His crimes: burglary, theft and stealing a car.

Initially, Nabors stayed away from his old neighborhood, started boxing and married. But he couldn't find a job. Every time he acknowledged his criminal past, Nabors said, employers lost interest.

"I'd come and tell them the truth and it was 'Whoa, we cannot have him working here,' " Nabors said. "They looked at me like I was some wild animal. It was hard."

Nabors floundered without someone telling him what to do as they had in prison. Eventually, he hooked up with his old gang and started selling cocaine for money. Nabors was 18 when he was driving a stolen car and was confronted by the owner. He's back in prison, serving five years for aggravated assault.

"I'm so institutionalized I don't know how to act in society," said Nabors, now 19. "It's crazy out there. This is what I got comfortable with. This is like I'm at home, basically."

Bill Crawford of Scottsdale knows about how young men like Nabors come out of prison. He worries about the damage prison will do to his son, Hayden, who went behind bars at 17.

Crawford said Hayden had struggled with drugs and went twice to a wilderness treatment program. Then he violated his juvenile probation by running away. The father thought he was doing the right thing when he arranged to turn in Hayden and called police to his home to transport his son to juvenile detention.

But Hayden tried to get away from his dad and kicked a police officer. He was charged with aggravated assault and possession of marijuana, then signed a plea deal that allowed him to attend a Nebraska school for troubled youths instead of going to prison.

Hayden excelled at Boys Town for nine months, earning a 3.7 GPA and joining the wrestling team. Then he got caught with marijuana, cigarettes and a girlfriend and got kicked out. He's now serving 4½ years in prison. His father worries about Hayden's safety and his mental well-being. While he doesn't condone his son's actions, Crawford said the system is committing Hayden "to a zero chance of ever being able to amount to anything in society" by putting him in "a higher-learning facility for criminal activity."

"If he was in the right kind of environment, he would have a real chance of straightening out his life and going forward," Crawford said.

"I know that he was redeemable. . . . He was on the right path."

Vocational training

In the past year, Schriro has restructured the prison's vocational training and implemented an education and life-skills program called "parallel universe," in which adult inmates engage full time in activities similar to those in the outside world. The program has already doubled the number of inmates earning GEDs, and those inmates get priority when applying for higher-paying prison jobs. In Missouri, the "parallel universe" program cut recidivism significantly, to 19 percent from 34 percent, and similar results could come to Arizona.

A transition program also is in the works to better prepare inmates for release, starting six to nine months before they are freed.

"Most people change over time, and most people change for the better," Schriro said. "But that change is not an accident."

None of the programs has yet reached the Minor's Unit.

But, starting in January, minors will get their first vocational training program. The six-month program will teach carpentry, electrical, plumbing and sanitation, skills that juveniles can use to get real jobs when they are released. A second vocational program is expected within the year.

The Minor's Unit also has started an anger management support group, and once a week a recreation therapist comes in to play games with the juveniles and ultimately teach them social skills, teamwork and problem-solving. The unit has the lowest student-to-teacher ratio, 5-1, of any prison unit, and last year 30 minors earned GEDs.

Limited numbers of inmates can choose to attend art therapy or a support group to help

them make better decisions. There is a pre-release program in which juveniles learn to set goals, search for jobs and spend their free time positively. None of these programs is mandatory.

"Everybody is capable of change," Warden Flanagan said. "The level of that is dependent on the programs we offer and the example we set."

Easing the transition

It's unclear if the proposed changes will be radical enough or if the state will need to look outside prison walls for solutions.

Communities across the country have begun to create re-entry courts to help recently released inmates through the transition between prison and the community. These therapeutic courts, based on the drug court model, mix intensive supervision with coordination of support services to give inmates a better chance of reintegrating into society.

Maricopa County Superior Court Commissioner Chris Wotruba said many of the youngest criminals lack maturity but can become successful with a little extra guidance and help connecting to social services, educational programs and vocational training. Some juveniles placed on adult probation appear monthly at her re-entry court, where they sign contracts defining how they will behave and are held accountable for their actions through rewards and sanctions.

"Personal contact makes a difference," Wotruba said.

Still, the most promising results seem to be coming from Missouri, which is considered the national model for dealing with the toughest juvenile offenders. Unlike Arizona, the state has a dual sentencing option that allows minors to serve part of the sentence in the juvenile system and part in the adult system. The approach gives kids an incentive to straighten out because those that do are released on parole, instead of moving into the adult prison.

Minors sent to Missouri's juvenile system live in dorms and are placed in small groups, where they work with trained youth specialists. The focus is on treatment not isolation and punishment. The state boasts an 8 percent recidivism rate.

"A lot of times it's so easy to take that knee-jerk, get-tough approach, and they'll never ever come back. Wrong," said Mark Steward, Missouri's director of the Division of Youth Services. "You can't even come close to making the place as bad as some of the places these kids have come from. You don't get better kids by doing that again."

"These kids need the same things that our kids need: some guidance and help."

But for inmates like Ramon Mendoza, who was imprisoned at 14 for burglary, it seems almost impossible to overcome where they are now. Soon after he arrived at prison, Mendoza spent nine months in isolation for assaulting another inmate so others would "know that I don't mess around." Now 16, he recently took his GED test, and he works as a cook in the kitchen.

He wakes up when he's told, eats when he's told, showers when he's told and walks everywhere in straight lines.

"Oh man, my heart is aching," Mendoza said. "I would love to get out."

Mendoza will be released in 2008, when he is almost 20. He plans to reconnect with his old gang. No matter what he does, Mendoza said, his past "will drag me down."

"I was a failure when I was 13," he said. "How can I accomplish anything now?"