

NEWS

SUIT TELLS HORROR STORY OF TEEN INMATE ABUSE

By

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Teen-agers sentenced to state training schools for juvenile delinquents often are subjected to sexual and physical abuse by their peers or adult supervisors and often attempt suicide, state records show.

Collected by attorneys suing the state over conditions at the schools, the records detail 43 instances during a 25-month period where inmates at the Eckerd Youth Development Center in Okeechobee attempted suicide or were physically or sexually assaulted. The records are based on reports from the Department of Health and Rehabilitative Services, the state agency that runs the schools.

The reports are just a sample of the mounds of state paperwork chronicling abuse and attempted suicide at the schools, says attorney Albert Hadeed of the Southern Legal Counsel in Gainesville.

In all, Hadeed said he has 17 pounds of abuse reports from a 26-month period ending in February. This month he asked attorneys with the state Department of Health and Rehabilitative Services to admit that the documents outlining the 43 instances are genuine. If HRS makes the admission, the records will be introduced as evidence in the lawsuit filed by Hadeed and two other civil rights lawyers almost three years ago.

Pending in U.S. District Court in Tallahassee, the class-action complaint seeks relief from “cruel and abusive conditions” for all children who were or will be placed in a state training school. Gov. Bob Graham, Education Commissioner Ralph Turlington, HRS Secretary David Pingree and the superintendents of the state’s two training schools are named as defendants.

Hadeed, who already has won major concessions from HRS, hopes the litigation will force the state to close the training schools and place troubled youths in smaller, more individualized programs. He maintains that recurring abuse at the schools is a byproduct of a system that warehouses problem children.

“What we have is a situation where inappropriate placements create an environment of abuse. With hundreds of children confined to one place there is a greater tendency for the vulnerable to be exploited,” he said.

HRS officials disagree. They say the agency has made tremendous gains in the past two years to improve the quality of the training schools and maintain that the institutions are an essential component of the juvenile justice system.

In addition to the Eckerd Center, Florida has one other training school, the Arthur G. Dozier School in Marianna. The combined population hovers at 550 boys. The schools operate on an annual budget of \$12 million. A third institution, the Alyce D. McPherson School in Ocala for boys and girls, closed last year, largely because of economic pressure from the Ocala community that did not want the school.

The records Hadeed sent to HRS for verification detail 16 instances during a 25-month period in which boys, some as young as 12, were raped, fondled or forced to perform sexual acts with other boys or adult counselors at the Eckerd center. In one instance, a 15-year-old boy was dragged into a staff apartment by four boys who stripped him and took turns sodomizing him.

The reports also describe 12 instances during a 15-month period in which clients at the training school tried to commit suicide. Some clients tried to hang themselves from tree limbs with T-shirts. Others ingested razor blades. Some slashed their wrists. Several admitted attempting suicide for attention or to get out of the institutions more quickly.

The reports also detail 15 instances during a 21-month period where residents were physically mistreated by other children or supervisors. In one case, according to the report, a counselor who was trying to wake up a 17-year-old boy hit the teen-ager in the genitals and choked him.

Theoretically, training schools are the most restrictive environments available in the juvenile justice system and are reserved for the most serious youthful offenders.

Hadeed maintains they are warehouses for children for whom the state doesn't have programs. To prove his contention in court, he also has asked HRS to verify two studies that demonstrate the schools are filled with children who don't belong there.

One study published by the governor's office in October 1983 found that, more than any other criteria, availability of space determines where a youth is placed in the juvenile justice system. Although judges can recommend specific programs for delinquents charged in their court, the ultimate decision rests with HRS placement coordinators.

"In the final analysis, the primary variable determining where a committed juvenile was placed related to where there was an available bed," the report said.

The review further said that delinquents with mental health disorders, developmental disabilities or other special problems often wind up in training schools because less restrictive programs can't meet their needs. The study noted, however, that the schools are not equipped to treat emotional disorders.

The other study, conducted by the client services department at the Eckerd center last year, determined that 140 of 279 youths were inappropriately placed at the school.

The study showed that judges never recommended training schools or listed the institutions only as a last option for a third of the 140 children who were considered inappropriate placements. That statistic alone, the report said, underscores the need for alternative juvenile programs in Florida.

“One wonders at how many of these kids were sent to training school behind shallow promises that they would be placed in a community based program once one became available,” the report said.

The study also noted at least 8 percent of the children, an “extremely conservative number,” needed specialized treatment such as programs for substance abuse, psychiatric disorders or emotional disturbances.

“Eckerd Youth Development Center is being used by the juvenile courts and the Department of Health and Rehabilitative Services as a kid warehouse,” the report concluded.

Curt McKenzie, HRS program administrator for training schools and serious offender programs, concedes that sexual assaults and violent acts occur at the schools and that even one act of violence or abuse is unacceptable. He disagrees, however, with the reasons.

“They’re hanging their hat on inappropriate placement but they’re not telling the whole story. If some of these kids weren’t in training school, they’d be in prison. The truth of the matter is . . . in those training schools we have some very violent and some very hard to manage offenders.”

McKenzie also contends that HRS has made great strides in the past two years to correct many of the problems cited by Hadeed.

He said academic and vocational programs and the food service have been vastly improved. Staff members are now better trained. Numerous buildings and residential cottages have been renovated. Special programs have been provided at both Dozier and Eckerd for kids with special problems and, by November, both schools will have been accredited by the American Correctional Association.

Also by November, HRS will have in place a computerized placement and tracking system for juvenile offenders that will eliminate inappropriate placements and pinpoint system shortcomings.

Although HRS is trying to settle the lawsuit, McKenzie doesn't envision closing the schools because they are needed for serious, chronic offenders. He does, however, support a reduction in population and has a goal of reducing the enrollment at each school to less than 200 by June 1987.

"The thought that the smaller the program the more efficient is not always the case. Ideally, we should have 100 to 175 beds," he said.

While numerous issues in the lawsuit remain unresolved, attorneys for the children and HRS have reached a number of agreements approved by U.S. District Judge Maurice Paul. They include:

- Elimination of hogtying and the reduced use of mechanical restraints, such as handcuffs, as a means of control. HRS officials maintain that hogtying children is against HRS policy and agreed to ensure the practice was not being used in the training schools. In July 1983, a corrections expert, William Nagel, was appointed by the court to monitor the use of mechanical restraints in the schools. Since his appointment, Nagel has reported that the use of leg irons and handcuffs for internal control has become almost "a relic of the past."

- In July 1984, Nagel's duties were expanded to monitor the use of security units for isolating kids who are out of control or are being punished.

- In November 1984, HRS agreed to cease placing children under 13 in training schools. When the McPherson school in Ocala closed, HRS also agreed to release or transfer the students there to community-based programs rather than to another training school.

- In August, the parties selected two experts to develop a plan to reduce the training school populations to the lowest number possible. The plan is due Oct. 25, and once completed, negotiations on its implementation are to begin.

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