Juvenile Facility Staff Contestations of Change

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Abstract:	This article explores juvenile facility frontline staff members' contestations of change to custodial practices aimed at reducing restraints, introducing trauma-informed practices, and downsizing juvenile facilities. Drawing from qualitative research about frontline staff members in a U.S. state undergoing reform, the article points to the ways that the reforms challenge staff members' investments in behavioral control practices as a vehicle for achieving order and control in their everyday lives as workers. It also points to shifts in the broader political economy of punishment at the local, facility level, and the subsequent impact on staff member perceptions of order, control and criminality.

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Juvenile Facility Staff Contestations of Change

In recent years, states across America have engaged in a significant project of

decarceration and devolution of their systems and systematic reforms of the residential

facilities that remain, spurred in part by the fiscal pressures on state governments that

emerged in the wake of the 2008 recession, but also under pressure from advocacy groups

and foundations who have promoted closure and reform (McCarthy et al., 2016, Horowitz

and Carlock, 2017, Abrams, 2013). These reforms in youth custody have been partially

inspired by a model of youth custody developed in Missouri, which has smaller facilities,

more 'humane' environments and trauma-oriented care (Mendel, 2010, Moore, 2009). But

the reforms have also been happening in a number of Western European contexts (Kelly

and Armitage, 2014, Horowitz and Carlock, 2017, Schiraldi, 2018, Dunkel, 2015).

On their face, the reforms to youth custody systems in the United States seemingly

represent a 'swing' away from a punitive and towards a more rehabilitative and therapeutic

approach to young people (Bernard and Kurlychek, 2010). Youth justice reformers have

argued that this 'swing' is a necessary one away from a period in the 1990s where large

classes of young people –particularly young people of color – were overcriminalized and

punished (Larson and Carvente, 2017). However, the pendulum theory of criminal justice

reform, which suggests that there are 'swings' or cycles in systems from punitive to

rehabilitative, may not be an accurate representation of what is actually a complex, contested

and contradictory process. Goodman, Page and Phelps argue for an 'agonistic,' as opposed

to linear, model of change which recognizes that penal developments are a "product of

struggle between actors with different types and amounts of power" (2017: 8). They point

to the varied actors, or 'agonists', who operate in the penal landscape and often contest

change. Drawing from qualitative interviews that took place with staff members in

residential juvenile facilities in the United States during a period of reform, I argue that

juvenile facility staff contestations of reform shed light on the difficult and fraught process

of trying to meet children's needs in a custodial context that is overwhelmingly focused on

their deeds. I also point to transformations in the broader political economy outside of the

facilities, and their impact on staff contestations of change. I argue that this was a context

where increased job insecurity, particularly amongst public sector workers, set anxieties

about the stability of their work into motion. These anxieties arguably solidified staff

members' investments in what they perceived to be the more enduring aspects of their work,

those rooted in the idea that custodial interventions are an effective form of punishment. It

also demonstrated their resistance to the idea that custodial interventions can meet the

emotional needs of young people.

Residential Reforms

New York State embarked on a large-scale process of juvenile justice reforms around

2007 (Task Force on Transforming Juvenile Justice, 2009). The reforms to the state's

residential juvenile facilities began when Eliot Spitzer became the Democratic governor of

the state in 2007 and appointed a new commissioner of the state's Office of Children and

Family Services (OCFS), Gladys Carrión. OCFS is responsible for the state's juvenile

facilities as well as its child welfare services. Carrión set out to reform and close the state's

juvenile facilities. The state ultimately closed down 31 facilities and reduced its admissions

numbers from 1,692 young people in 2007 to just 338 young people in 2016 (National

Juvenile Justice Network and Texas Public Policy Foundation, 2013, Office of Children and

Family Services, 2016). The state also engaged in a process of realignment, closing their

state-level juvenile facilities and shifting young people to locally-controlled, often privately-

contracted facilities, also consistent with national trends (Cate, 2016, Butts and Evans, 2011).

States across the United States have cited several reasons for downsizing their

juvenile facilities, from fiscal concerns, to poor conditions of confinement. State officials

pointed to research on the deleterious effects of confinement on young people, particularly

in squelching their development, embedding the labeling effects of system contact,

separating them from their families, and exposing them to poor conditions of confinement

(see, e.g. Gatti et al., 2009, Nagin, 2009).

Reform Rhetoric

Much of the discourse about the recent reforms in juvenile justice systems has

suggested that a shift has taken place away from an ostensibly 'harsh' and punitive system

towards more therapeutic systems. The reform rhetoric has also elevated the role of the

'community' in producing positive change, and emphasized community-based alternatives to

incarceration, connecting the idea of 'community' to treatment (Cate, 2016, Armstrong,

2002). Most reformers point to harms in custody as ones involving *overt* forms of punitive

control, such as the practices of room confinement, physical and sexual abuse by guards, and

the overuse of physical restraints and force (Ryan and Schiraldi, 2018). The reform strategy is

thus largely connected to and dependent upon the idea that not only can the community

'cure,' but that a small number of reformed residential juvenile facilities can effectively

deliver 'care.' Yet, scholars are increasingly beginning to ask whether indeed it is *ever*

possible to provide care in contexts of control, particularly in contexts where putatively

therapeutic practices can be experienced as a form of punishment (Phoenix, 2009, Fader,

2008, Myers, 2013).

Political Economy

The political and economic backdrop to the reforms that took place in the juvenile

facilities is critical in contextualizing the role that frontline staff members played in

responding to the reforms. Between 2006 and 2015, there was a 49% drop in violent crime

by juveniles across the United States; the rate at which young people were sentenced to out

of home placement also dropped by at least 50% in 24 U.S. states; in New York, the percent

decline in commitments during this time was 67% (Horowitz and Carlock, 2017). The

decline in the numbers of young people being arrested also meant that the cost of care in

New York State rose, as the number of beds in placement, as well as the numbers of staff,

held relatively constant. When the 2008 recession struck, the state was under enormous

pressure to close what were identified to be very costly forms of state-funded care.

　　　　Closing juvenile facilities also involved laying off the staff members who worked in

them. Staff in the juvenile facilities were members of the state's largest public sector unions,

which also represented workers in other sectors that faced job cuts. For many years, these

public sector jobs had helped to nourish the largely deindustrialized Northern part of the

state, which had gone into severe decline in the post-World War II years (Castellani, 2005).

As the manufacturing jobs declined, state jobs increased during the 1960s as Governor

Rockefeller inflated the state's public administrations and authorities (Castellani, 2005: 125).

Government employment grew by more than a third from 1965 to 1972 in upstate New

York, while manufacturing jobs declined significantly (Castellani, 2005: 127). Public sector

positions, particularly those in the juvenile justice system and prisons, offered some hope for

rural economic deprivation, despite the fact that some analysts have pointed to their inability

of these jobs to deliver on such hope (King et al., 2003).

　　　　When the Governor of New York State proposed closing a number of the state's

juvenile facilities, and laying off its staff members, many of the staff in those facilities, and

their unions, opposed such changes, and this opposition was well-documented in the public

media (Anich, 2009, McAvoy, 2008, Ference, 2008, ReadMedia, 2012). Staff member unions

resisted the reforms at the state level, lobbying in Albany and organizing significant political

resistance.

Media reports documented the desire of residential facility workers to maintain their

well-paid jobs in the face of few job prospects in the rural communities they came from, and

the need for political conservatives to lock up wayward children rather than allow them to

serve their time in the community. Equally well-documented was the position of system

reformers, who spoke in public and the media about what was termed the "culture of

violence" that existed among staff members in the residential facilities. Media sources

around the state opined on the relationship between staff 'cultures' of resistance and the

levels of brutality that existed in the facilities (King, 2010, New York Times, 2010), and the

staff members were aware of their negative characterization in the public media.

As he built toward his strategy of realignment and decarceration, the newly-elected

Governor Andrew Cuomo noted in his State of the State speech in January 2011:

> I understand the importance of keeping jobs especially in upstate New York. I also
> understand that that does not justify the burden on the taxpayer and the violation of
> civil rights of the young person who is in a program that they don't need where
> they're not being treated hundreds of miles from their home just to save state jobs.
> An incarceration program is not an employment program.

Cuomo's father, Mario Cuomo, led the state's largest prison-building efforts in history; in

this new era of reform, upstate workers were portrayed as a key obstructionist force in the

reforms. Cuomo recognized that if he could build public antipathy towards rural prison

workers, he might build more public support for legislation that he sought to pass in a

predominantly Republican state legislature in which he faced significant opposition from

lawmakers who represented the districts which held the facilities.

This was not the first period of juvenile facility decarceration in which the state faced

opposition. During the 1970s and 1980s, the state engaged in significant downsizing and

reform, shifting some young people to community-based facilities, implementing new

practices and experimental programs in confinement, and implementing diversionary

programs (McGarrell, 1988). This paralleled a large-scale process of deinstitutionalization of

the state's psychiatric hospitals. In both periods, the state's public sector unions also

engaged in campaigns advocating for the preservation of their jobs, and the history of that

period was well known to many of the labor union activists who were involved in the work

against the current closures (see also Thompson, 2011, Page, 2011).

Penal policy is intimately tied to the functioning of the political economy

(Gottschalk, 2010). Gottschalk (2010) cautions against the assumption that economic crises

alone will necessarily result in full scale decarceration, pointing not only to the economic and

political logics that sustain incarceration, but also the cultural and social foundations of

punitive policies, as the bounce back of the population of young people in juvenile facilities

in the years following the reforms of the 1960s and 1970s can attest. Similarly, Grasso

(2017) has argued that current state-level efforts to revive the 'rehabilitative ideal' often mask

the "punitive facets" of what he terms "rehabilitative penology" (394). Grasso argues that

these ideologies of punitiveness which center notions of 'incorrigibility' at the heart of the

idea of the offender have long been embedded in official state discourses, even as states

ostensibly tilt towards 'rehabilitation' over punishment. This work raises important

questions about the relationship between reforms in theory and those in practice, and the

role that organized labor plays in contesting reforms – and revealing their underlying logics--

within the context of a fraught political and economic landscape.

Extant Research

This article mines the perceptions of frontline staff about juvenile justice reforms in

order to better understand the relationship that workers may play in revealing the shape of

punishment in a context where rehabilitation is leveraged as an ideal by those doing the

reforms. Sociology of punishment scholars have increasingly recognized that mass

imprisonment is a highly localized issue, and that we must begin to challenge narratives and

ideas about grand 'systems' of punishment (Garland, 2013, Goodman et al., 2017, Harcourt,

2014). Recent work has pointed to the role of state actors in their responses to and within

systems of punishment and social control (Garland, 2013, Cheliotis, 2006). Scholars have

highlighted the practices and perspectives of state actors, such as prosecutors, prison guards,

and police officers, in the context of a penal field that is often deeply contested and dynamic,

and where punishment and 'treatment' often merge (Page, 2011, Rubin and Phelps, 2017,

Barker, 2009, Lacey and Soskice, 2015, Pfaff, 2017, Werth, 2017, Rudes et al., 2011, Stuart,

2016). Youth justice scholars have revealed the role that workers play in contesting and

managing reforms, expressing divergent and sometimes contradictory narratives about

punishment and change, and shaping ideas about youth criminality (Kelly and Armitage,

2014, Gray, 2013, Ward and Kupchik, 2008). However, much of this work has focused on

workers in adult contexts, or youth justice workers in the community; very little research has

examined the role of workers in custodial contexts in youth justice (although see

Inderbitzen, 2006, Abrams and Anderson-Nathe, 2013). It is arguable that the custodial

contexts can reveal a great deal about the penal landscape at the 'deep end' of the juvenile

justice system in ways that elucidate our knowledge about the roles that custody and removal

play in the penal imagination.

The literature on 'street level' bureaucracy has helped us to understand the roles that

frontline workers play in mediating between policy and practice (Lipsky, 1980). Line staff

and management often have different language, cultures, and understandings about the

everyday practices of imprisonment and treatment than administrators and reformers, and

these understandings can help to reveal the tensions and contradictions in policy and

practice, and the power of worker identity and positionality in mediating reforms (Watkins-

Hayes, 2009a, Morrill and Rudes, 2010, Cheliotis, 2006).

Coming from a psychosocial approach, Crawley's (2004) research on the working

lives of prison officers has revealed that the officers engage in a significant amount of

emotion management. She argues that prisons are *inherently* emotional places – prisoners are

dealing with the acute stresses and pains of imprisonment, and these pains form the

"bedrock" on which the social cohesion of the institution is built (Western, 2007: xii). Other

scholars have explored the role conflicts and stressors that exist within prison and juvenile

facility landscapes, and the strategies that staff members engage in to manage those conflicts

(between, for example, nurture and discipline) (Tracy, 2004, Inderbitzen, 2006, Dowden and

Tellier, 2004). Yet juvenile facility frontline staff occupy a role that is different from prison

'guards': as individuals working in settings that are ostensibly treatment-oriented, yet also

custodial, they walk a tightrope between 'care' and 'control'; they are neither guards nor

social workers (Inderbitzen, 2006). Thus, any examination of their work must take into

consideration the particular context and meanings of what that work involves.

Within the sociology of organizations, researchers have studied the informal

networks and forms of power that operate within formal organizational structures (Blau and

Scott, 1962). According to the typology of organizations developed by sociologists Peter

Blau and W. Richard Scott, juvenile residential facilities are formal organizations, organized

around a central purpose, yet which contain informal organizations within it which are

organized around their own practices, values, norms and social relations (Blau and Scott,

1962: 6). The informal responses to formal organizational structures reveal how social

relations are structured and the cultures that develop amongst workers in response to the

formal structure. The informal exercise of power—and how it is accrued, distributed, and

managed—becomes important to understand in the context of managerial attempts to

exercise formal power and control over workers. Workers may resist efforts by managers to

impose cultural change, and those forms of resistance can be expressive of a variety of

responses to the imposition of change, from class-based resentment to a defense of informal

working cultures and practices (Leidner, 2010).

Methods

This article is based on research conducted in New York's juvenile justice system

over a period of three years. The initial research was aimed at understanding the dynamics

of incarceration and rehabilitation in juvenile justice settings from the perspectives of young

people (Author, 2018). The second research study was aimed at understanding the barriers to

organizational change in imprisonment, from the perspective of juvenile facility staff.

The first part of the research, which took place from 2008 to 2009, focused on

young people's experiences within three juvenile facilities, and involved immersive qualitative

research with 29 young people. The second part of the research focused on juvenile facility

staff. This research involved over 40 site visits to facilities and interviews with over 75 staff

members from the beginning of 2011 until the fall of 2012. Two residential juvenile facilities

were the focus of the second study. This article draws more broadly from observational

research and data from seven juvenile facilities across New York State, as well as participant

observation in local advocacy gatherings, policy-reform meetings and presentations,

meetings with state-level administrators, and legislative sessions and advisory group

meetings. I obtained access to the state's residential juvenile facilities through the Office of

Children and Family Services (OCFS).

Residential juvenile facilities are located across New York State, primarily in rural parts of the state, and while they are operated by the central administration, based in Albany, they are managed at the local level by a set of facility directors and administrators. The facilities ranged in size, from having just a handful of young people, to the larger facilities, which had close to 200 children. I worked with the state agency on site selection for both studies. Facilities were identified for their relevance for the study of the impact of the reforms: a small, rural facility for boys, which was next door to a recently-closed facility, was selected, identified as "Edgewood" in this article, as well as a larger, congregate care-style facility for boys charged as adults, identified as "Hooper" in this article. Both facilities were in the process of implementing facility-based reforms.

I engaged in observational fieldwork in multiple settings in the institution, from the administrative offices, to the security and control buildings, to units, classrooms, and playing fields and at different times of day, from morning to night. I also conducted semi-structured interviews with staff members; I engaged in a mix of purposive and snowball sampling in order to develop the participant pool, assessing the diversity of the pool in terms of gender, age, race/ethnicity, position and length of time in the system as I progressed in the field research. The sample included direct line staff (known as Youth Development Aides, or YDAs), youth counselors, assistant directors, directors, security staff administrators, teachers, recreational staff, social workers, staff psychologists, mental health unit staff, central office administrators, and union administrators. In the second study, which was an action research study, aimed at providing the state with insights into staff perspectives on reform, I used an Appreciative Inquiry interview protocol about staff experiences in custody (Liebling and Arnold, 2004).[i] Appreciative Inquiry is "an approach to organizations which is

based on strengths rather than weaknesses, on visions of what is possible rather than what is

not possible" (Liebling and Price, 2001: 6, see also Cooperrider and Whitney, 2007).

I employed a grounded theory approach to the collection, coding, and analysis of the

data. I developed an initial set of codes from the field notes and interview data, drafted

integrative memos about the codes, and then refined the codes through secondary analysis. I

used the qualitative software Dedoose to analyze the data. The data on which this article is

based draws in particular from interviews with Youth Development Aides, or the frontline

staff, and focuses on three of the themes that emerged from the interview data—those

related to staff perceptions of 'structure,' control, and treatment in the context of reforms.

Restraints and their Relationship to 'Structure'

Physical restraints and room seclusion are used in a variety of settings, from prisons,

to juvenile facilities, to psychiatric hospitals as an effort to ensure the physical safety.

However, researchers and practitioners increasingly recognized the risks of these practices,

from their uses as forms of discipline and punishment, as opposed to the preservation of

safety, to physical harm and even death (Government Accountability Office, 2009, DeMasi

and Boyd, 2007). In late 2006, a boy died in a residential juvenile facility in New York after

being restrained by staff members, triggering an investigation by the Department of Justice

and a re-analysis of the use of restraints. The state subsequently decided to engage in

substantial reforms of the restraint system, setting key performance targets for each facility

and monitoring the numbers of restraints they engaged in, minimizing the criteria which

would trigger a restraint, and, in a number of restraint cases, initiating a child abuse

investigation of staff members who engaged in restraints. The staff were encouraged to use

de-escalation strategies and other forms of crisis intervention instead.

This effort by the central office to reform the restraint practices was officially driven by a desire to protect young people and limit and restrict physical forms of punishment. Yet, it was overwhelmingly experienced by staff as a formal effort by the central state office to monitor and control their work, and a number of staff contested the practice. Conversations about the policy change pervaded facility life. A number of staff members interpreted the change as a restriction on their rights to "lay their hands" on young people (a Black male Youth Development Aide (YDA), a frontline staff member, at Hooper, the larger facility, had been told by facility administrators "from now on, it's hands off.") Many staff members interpreted this shift as one which "tied their hands" and exposed them to more risk; in other words, their perception was that they had moved from a system where they could use physical restraints as a tool for controlling unruly young people, and that the new reforms had forced them into a system where they could no longer use that 'tool' and were thus at risk of having the kids physically control *them*. According to a white male YDA at Edgewood, referring to the leader, Gladys Carrión:

> Then Gladys got in and it just spiraled right out of control because there was all these, "Don't put your hands on kids." There were eight different reasons that you could put your hands on a kid and it went down to three now which I'm gonna defend myself and I'm not gonna let a kid hurt somebody else and when two kids fight what do you do, you get between them and get hit.

Staff members often spoke nostalgically about an 'old' system which involved a greater use of restraints, and which they described as 'structured.' The new system, they said, was deeply *unstructured* and unsafe. A white male YDA in his 20s who had recently started working at Edgewood had been told by a friend that if he worked at Edgewood, " you can beat the shit out of them [the residents]" but that he quickly realized under the new set of policies that this was not possible. A white male Youth Counselor, who had worked in the system for almost 30 years, and who had been moved to Edgewood after his boot-camp

style facility had closed, argued, of the boot camp model, "that was a steel rod but it worked. It did." He spoke about the high number of restraints under that system, and said "It was structured and it was disciplined." This staff member, who hadn't read the empirical research highlighting the failures of boot camps (Bottcher and Ezell, 2005), only saw that a model that he felt 'worked' had been shut down by people who didn't work on the ground, as he did.

This assertion of ground-level knowledge over and above technocratic wisdom played a powerful role in the facility landscape and became one of the strategies staff members engaged in to contest institutional reforms. A number of facility staff members viewed efforts at reform as those which involved largely liberal bureaucrats imposing rules and regulations in their daily lives, which they felt ultimately inhibited them and didn't respect their desires for the facilities to be places of self-government and informal, unregulated control and discretion. A number of the staff members perceived the bureaucrats to be out of touch with what they felt 'worked' to instill order in facility life; tellingly, they seldom acknowledged that the changes to the restraint practices were aimed at protecting young people, but instead asserted that the practices failed to protect staff. Some staff members viewed physical forms of control over young people (restraints) to be more effective than what they believed were more complex and difficult, and less easily achievable forms of control—persuading young people to calm down or manage their anger by talking to them.

A number of staff members and administrators promulgated the narrative that the individuals being punished in the reformed system were *them*, not the children. They pointed to two direct strains of the perceived 'punishment': one was through a monitoring and oversight system that was implemented in order to evaluate the uses of restraints in each

facility. A union representative based at a central office in Albany argued that "people in the

facilities get mixed messages from the directors down…You know, the directors are told the

most important thing is to get your restraint records, your restraint numbers down, so you

ignore things." Rumors abounded, particularly at Edgewood, that the reason why facilities

were closing was because they couldn't get their restraint numbers down. As the official

policy involved contacting the child abuse complaint service after a restraint had been

conducted, initiating an investigation procedure, staff members saw that the response to

their use of a restraint was punishment, through suspension or even termination. Some staff

members responded by avoiding doing restraints or verbal de-escalation strategies, arguing

that they felt 'safer' in doing nothing. Although the staff members were a heterogeneous

group of individuals, and often diverged in their perspectives on and about particular young

people, or their relative investment in the day-to day-work, there was a relatively consistent

narrative expressed by staff members that the facilities had lost their 'structure' in the

context of the reforms.

Theories of Incivility

        In the context of reforms that sought to give young people more privileges in facility

life, and to loosen the previously rigid structures of discipline and control, a number of staff

members asserted the need for strict discipline in order to maintain order in facility life. This

was despite their more quiet admissions that the facilities often felt more 'orderly' and calm

when young people were engaged in purposeful activities, such as sports events or

educational and creative programming. However, in more formal interview settings, a

number of staff members embraced the idea that if low-level incivilities—young people's

trousers riding below their waists, shirts untucked, minor rule violations – were consistently

addressed in the facilities, then larger-level disorders would be prevented; they thus

expressed open resentment about a rule change ending the practice of young people holding

their hands behind their backs when they walked through the facility. Their ideas seemed to

derive from a vague application of neo-conservative logics about the need to punish

incivilities, manage risky subjects, and exert control (Wilson and Kelling, 1982, O'Malley,

2010). As Sampson and Raudenbush (2004) have argued, notions of and responses to

'disorder' are shaped by the racial and economic context of that perceived disorder; this was

important to recognize in a facility context where over 80% of the young people in care were

children of color. A union representative, presenting a global view of her perspective on staff

experiences, said: "And the workers aren't allowed to – not even discipline, I'm not sure

discipline is the right word, but there are no consequences for low level behaviors, so it ends

up escalating into bigger behaviors."

The sense by many staff members was that when young people *looked* and *acted*

deferential, then other positive benefits to facility life followed. A Black male YDA who

worked at Hooper said:

> Before, all moves were done before. The residents, they had their hands checked
> behind their backs. … They were told to keep their pants pulled up, which they
> were. They were dressed in order. Their uniform was basically the same. When that
> came into place, they had to check their hands. Then staff here felt we had lost
> control at that time…

Staff members had the perception that young people were being given more privileges than

punishment. A Black female YDA at the girl's facility said, "I think our structure is gone,"

and that "if you tell any child yes all the time, it doesn't work." She said that the "kids can't

accept a 'no' nowadays," because "….the whole problem with our system is that we have no

structure to help kids understand that no means no." A black male YDA at Hooper who had

worked in the system for 18 years said that he felt that there was "no more structure to hold

them accountable for their actions. There are more fights, and more gang-related activities."

He said that out of a class of 15 students, "I'm lucky if I have six of them do work." He

pointed to what he felt was an unenforced prohibition on trading soaps and other

commissary items in the facilities that previously would have resulted in a disciplinary write

up or a loss of privileges, a failure to advance in the behavioral change system, and could

even have an impact on a young person's time in custody.

Trauma-informed care

In the broader policy advocacy arena, a new discourse of 'trauma' started emerging

(Branson et al., 2017). Trauma-informed care seeped its way into facility life, not necessarily

as a practice, but through gossip about its impending arrival. The state adopted an approach

to treatment which was focused on understanding not only the trauma that young people

brought with them into the system, but also that of the staff that worked with them (Bloom,

2005).

The concept of trauma-informed care has been aimed at everything from staff

practices, to institutional techniques, interventions, services, hardware and approaches.

Linked to 'gender-responsive' care, these approaches aim to address individual *needs* that

result from their experiences. Yet, some scholars have raised questions about the difficulties

inherent in meeting individual needs in environments that are inherently devoted to security

and containment (Kruttschnitt, 2016). As Hannah-Moffat (2006) argues, penal regimes

increasingly tend to fuse ideas about 'risk' with those of 'need' in ways that serve the goals

and interests of those regimes. Trauma-informed programs target 'needs' in criminalized

young people, often identifying the trauma as the *cause* of their offending.

Residential juvenile facilities have arguably always fused risk and need, but the staff

members who contested the introduction of trauma-informed practices revealed some of the

ways that these practices forced them to understand young people's biographies – and the

complex terrain of their emotional lives--in ways that were sometimes unsettling for them.

This suggests that in previous regimes, the *denial* or obfuscation of young people's pasts

allowed staff members to focus their jobs overwhelmingly on their present manifestations of

'risk.' A white male frontline staff member at Edgewood, who had been working in the

system for 34 years at a set of small rural facilities, some of which had been closed,

bemoaned what he saw as this more individualized approach to young people. He said "I

understand that these kids are traumatized, but we are treating kids 'good' here." He spoke

nostalgically about the days when he said he could ask a resident to pull their pants up, and

they would do so, or when they could make educational progress while they were in the

facilities, because they followed the directives of teachers. Now, he said, it is just "crowd

control." Implying, like a number of other staff members, that the new approach to

treatment empowered young people to be disrespectful to staff members through the

acknowledgement of their histories of suffering, he said that "no one deserves to be spat at."

Suggesting that the young people in past regimes were more deferential, he said "the kids

used to say 'thank you sir, thank you ma'am.'" Yet, he said "everything is harder now,'

because 'they've got a strange sense of morals." The staff members suggest here that their

loss of control is related to their struggle to balance their efforts at behavioral control with

that of emotion management; they alluded to a putatively simpler time, when asking young

people to pull up their pants translated into institutional order and control.

Staff members themselves also grappled with their own relationships to trauma and

risk, which may have compounded their reaction to—and denial of—the issue of young

people's trauma. Staff member exposure to violence and injury on the job, anxiety and

instability about facility closures, performance-based management culture, and the though-

often unspoken 'riskiness' inherent in building and developing attachments to young people

that would not be long-lasting, due to the prohibitions on contact with young people after they left facility life. Some staff felt that their 'needs' were displaced by an attention to the young people's needs. They felt that their decision to enter into work that involved its own exposure to violence and injury was a risk that they were to assume, not the state.

Many staff members perceived that the facilities had gotten more violent as a result of the reforms. Performance Based Standards data was collected from juvenile residential facilities about assaults on staff per 100 days of confinement. In a comparison between data collected from October 2009 and April 2013, eight out of eleven of those facilities saw an increase in the number of staff assaults.[ii] Data is also collected about the percentage of staff members who report that they feared for their safety in the previous six months. This data is more equivocal; in seven out of the eleven facilities, there was a decline in the number of staff who felt unsafe. The facility that reported a significant increase (of approximately 23 percent of the staff feeling unsafe to 63 percent of the staff) is one that made the shift from being a bootcamp facility to a traditional residential treatment facility. That facility also faced a significant number of layoffs in 2011. Another facility that faced a significant increase in the number of staff feeling unsafe experienced an influx of youth who had significant mental health issues and were considered to be "hard to place," and staff there also felt uncertain about the future of the facility.

In the facilities, a considerable number of staff were called out on overtime during the reforms. In 2010, New York spent $14 million on staff overtime at OCFS, a significant rise from previous years (Wurtmann, 2012). During the state fiscal crises of the 1970s, in which a similar period of deinstitutionalization occurred in juvenile facilities, states saw a similar rise in the use of overtime in correctional institutions (Wynne, 1978). Staff cited several causes for this (over)use of overtime. Some spoke about their perception that more

staff were injured on the job as a result of the lack of 'structure' and the rise in violence in

the facilities. However, others commented on the use of overtime as a 'foot dragging'

strategy that some staff members engaged in -- tired and frustrated by the work, they would

call in sick even if they were not sick.

Every facility reported a drop in the number of youth feeling unsafe in the previous

six months, and in some cases, a quite substantial drop. This discrepancy between staff and

youth perceptions of safety may reveal the impact of the reforms on these perceptions. A

key scholar of organizations notes that "uncertainty and instability in an organization may be

affected by the emotions of the workers within it" (Hirschorn, 1988). At Edgewood, staff

had witnessed the facility next door to theirs being closed, and were fearful that their facility

was on the chopping block, and a number of staff members expressed anxiety about the lack

of transparency about the process of facility closures. At Hooper, a facility that was less

likely to close because of its size and the population of young people it served (young people

charged as adults), the staff expressed some anxiety about the shifting terrain of broader

reform policies, such as a proposal to raise the age of criminal responsibility in the state,

which they felt might shift the population of young people under their control, or the

possibility that newer staff would be coming into the facility from those that had closed.

A Black male YDA at Hooper who had worked at the system for almost twenty

years, referring to his fellow staff, said "A lot of them, seeing it on their face, they feel unsafe

because they don't know what's going to happen, if they going to be supported if something

does happen. It's the same thing with the residents. A lot of residents don't even feel safe.

That's why the whole uproars come up a lot. They do it to get attention."

As notions of 'violence' were unpacked, it seemed that the *threat* of incivility and

violence felt grave to staff. The Assistant Director of Edgewood, a white man who had

worked in the system for over 25 years, said that he felt that his staff had faced a "barrage of

abuse and disrespect" from the kids, and that it was "incessant," "non-stop," and "rampant."

In fact, the staff members struggled to manage in ways that many parents of teenagers

struggle with the emotional landscape of adolescent resistance to adult restrictions and

boundaries in their lives. Yet this 'disrespect' exists within a context in which the young

people's actions are viewed within a lens of criminality, not immaturity. It is in this context,

then, that staff arguably struggle to view young people as traumatized, and instead see their

violence as innate. Joe Sim (2010) has pointed to the ways that 'state talk' of the violence of

the so-called deviant helps to legitimate the state power used against them, particularly in

confinement; he argues that prison officers themselves get recruited into this project of state

violence. In this context, the individual officer who goes awry is punished, but the existing

structure of state power and violence is maintained.

Contradictions and Counternarratives

Staff endorsements of punitiveness were not always matched by expressions of harsh

brutality and control. Instead, they struggled to manage their ideas about the inability of the

system to 'change.' For as much as they narrated a view of young people as largely

incorrigible and in need of control, many facility staff members also grew very attached to

them. They helped them apply to jobs and to college, they started book clubs, helped them

with their homework, and would often joke and chat with them (see also Author, 2018).

There were a number of staff who fell into this space; on the one hand, they expressed

solidarity with other frontline staff members who felt that the system had gotten 'worse,' as

had the young people, but on the other hand, they expressed a strong level of investment in

the young people under the their care. Indeed, some of the staff members who expressed

the strongest narratives of responsibility and bootstrapping also engaged in highly 'caring'

work towards young people, encouraging them with their school work and emphasizing their

strengths. In a context where more than 50% of the line staff in the facilities were Black and

Latino (Source: OCFS data request), and 81% of the young people in the facilities in 2008

were Black and Latino (OCFS, 2008), these notions about uplift may have also been shaped

by the staff members' own experiences of finding success in the face of strong barriers to

social mobility (see also Watkins-Hayes, 2009b).

Discussion

This research focused on staff perspectives on facility life in the context of reforms

that happened both *within* the facilities, aimed at making them more 'therapeutic' and less

punitive, and those that happen *outside* of the facilities, engaged in a broader effort at

deinstitutionalization. The data in this article focuses on staff perceptions of order in the

context of these reforms. These perceptions to some extent reflect some enduring

assumptions about the incorrigibility and criminality of criminalized children (Garland, 1985,

Grasso, 2017). They also reflect the difficulty with which facility staff members assimilate

new conceptualizations of young people's offending in contexts where the very nature of

their work is and has been reliant on a certain *denial* of young people's early suffering, and a

focus on the present manifestations of their pain. For many of the staff members had

started working in the system in the 1990s, and the average tenure of the workers I

interviewed was 17 years (the agency-wide average was 15 years). Thus, they had worked in

a system that had spanned a number of 'reformers', and thus relied upon what they felt was a

strategy of punishment that 'worked' through the reforms, which was largely one that

centered behavioral control as punishment. Appeals to this 'common sense' of punishment

remain a powerful tool in the arsenal of resistance to penal change (Phelps, 2016).

Staff responses to the changes to the restraints policies highlighted the persistence of ideas about the efficacy of physical and instrumental forms of punishment in the life of a juvenile facility. Although a number of staff spoke about their dislike of engaging in physical restraints, and their susceptibility to injury during the process, a number of them nonetheless embraced the idea that physical restraints 'work' to control young people under their care. The staff members' responses to the reductions in the use of restraints points to the persistence of ideas about disciplinary control; their sense that they might be losing 'control' over the young people (as opposed to their reflections on the safety of young people) suggest that the practices themselves had *always* been viewed within the context of penal management, as opposed to youth safety.

Staff narratives about the role of reforms in leading to the decline of safety in the facilities and the rise of violence also revealed the complexity of reforms that were posed as an effort to make facilities more therapeutic. These narratives by staff of a descent into violence also existed in previous periods of decarceration and reform in New York State, and have emerged in other states. Although on their surface, the staff critiques of the reforms are suggestive of their embrace of positivist, essentializing conceptions of youth crime and criminality, these perceptions may also reflect the difficulties juvenile facility staff face when they work in environments where the very meaning and purpose of that work comes into question via the reforms. For it may be that the reforms challenge the guiding assumptions and rationalities that staff members had to embrace to make their own work – and their sense of agency and control in that work – 'common sense.' As they are asked to grapple with the *emotional* lives of young people, when they were previously ask to focus on their *behavioral* control, staff members contest reforms. In a political economy where their jobs become the terrain for austerity measures, they then assert their expertise and

experience, as well as appeal to ideas about the necessity of custody and control, as an effort

to protect themselves and their jobs.

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ii Two of the facilities were not in existence in October of 2009 so comparative data could not be obtained for them.