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ARTICLE

"Granting" Justice, Debating Delinquency: The Juvenile Delinquency and Youth Offenses Control Act and the UNC Training Center on Delinquency and Youth Crime, 1961–1967

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Abstract

This article argues that 1961 to 1967 was a critical period when federal, state, and academic institutions looked with hope toward emerging methods in behavioral and social psychology to train juvenile justice officials and to treat delinquent children. Reflecting liberal optimism regarding the possibility of reforming individual behavior without structural change, the Juvenile Delinquency and Youth Offenses Control Act of 1961 provided project funding to cities, nonprofits, and universities. Using the University of North Carolina's Training Center on Delinquency and Youth Crime as a case study, this article examines how federal funding was used for "experiments" with group therapy, youth incarceration, and cocreation of juvenile justice. Though largely inconclusive, these experiments demonstrated the existence of alternatives to the hyperinstitutionalization of juvenile offenders that accelerated after the Supreme Court's 1967 decision of *In re Gault.*

Keywords: Juvenile Delinquency and Youth Offenses Control Act; Juvenile delinquency; university of North Carolina Chapel Hill Youth Research and Development Unit; Progressivism

I. Introduction

On October 12th, 1961, President John F. Kennedy visited the University of North Carolina at Chapel Hill to accept an honorary degree at celebrations commemorating the 168th anniversary of the University's founding. Though commentators expected Kennedy to deliver a "major foreign policy address" touching on Cold War tensions "from Berlin to Viet-Nam," the president's brief speech in Kenan Stadium sidestepped domestic and global politics and instead explored the civic duty of the university-educated to their state and nation.[1] "It is not enough," President Kennedy advised students and faculty alike, "to lend your

talents to deploring present solutions" to the social problems of the day. "Most educated men and women … prefer to discuss what is wrong, rather than to suggest alternative courses of action."[2] Kennedy's address was a call to a solutions-oriented mode of academic inquiry to meet the social, economic, and political challenges endemic in the United States in the 1950s and 1960s.

The Juvenile Delinquency and Youth Offenses Control Act, passed in September 1961, responded to one issue that permeated the mid-twentieth-century public consciousness: an increase in crimes committed by young people and the inadequacy of the extant system of juvenile justice. Rather than reform structures of juvenile justice and incarceration directly, the 1961 act provided grants to study, demonstrate, or evaluate projects "which h[e]ld promise of making a substantial contribution to the prevention or control of juvenile delinquency or youth offenses."[3] Municipalities, nonprofits, and universities across the United States received funding for projects related to the 1961 act's central goal of addressing the perceived increase in youth delinquency and crime in the mid-twentieth century.

At the University of North Carolina at Chapel Hill, a grant from the 1961 act funded the Training Center on Delinquency and Youth Crime (hereafter, Training Center) from 1962 to 1965. Through training sessions and action research, Training Center staff worked with officials from across North Carolina to debate and ultimately standardize a vision of juvenile justice between existing theory and practice. The Chapel Hill Youth Research and Development Unit (CHYDARU), a short-lived program of the Training Center, was the fullest expression of this praxis. An experimental prison camp for youth offenders staffed by parolees, CHYRADU demonstrated—for better or worse—the potential for reimagining systems of incarceration and juvenile justice.

Scholarship on mid-twentieth-century juvenile justice tends to neglect the Juvenile Delinquency and Youth Offenses Control Act or to dismiss its significance. Naomi Murakawa highlights Truman- and Johnson-era crime policy, briefly describing the 1961 act as "paltry" and significant only as a model for President Johnson's Office of Law Enforcement and Administration, established in 1966.[4] Gordon A. Raley (the main authority cited by Murakawa) similarly describes the 1961 act as a precursor to Johnson's Great Society social programs. Further, Raley incorrectly asserts that funding was primarily directed toward demonstration projects—a mistaken analysis given that over 60% of grants were awarded to training projects.[5] A lack of breadth and rigor in existing literature has limited analysis of the Juvenile Delinquency and Youth Offenses Control Act and the centrality of training programs to its project of addressing juvenile delinquency.

The history of juvenile justice in North Carolina makes the site of this study—one of the preeminent universities in this state and the nation's oldest public university—particularly fertile ground. Annette Louise Bickford's (2016) book *Southern Mercy: Empire and American Civilization in Juvenile Reform, 1890-1944* explores the juvenile reformatory movement in North Carolina from the late nineteenth to mid-twentieth century through detailed profiles of four different state-run juvenile institutions. Bickford argues that the juvenile justice movement emerged in North Carolina as a locally specific iteration of the national

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effort to delineate systems of treatment for adult and juvenile lawbreakers: "The reformatory movement in North Carolina was uniquely syncretic, reflecting both regional and national loyalties … sentences in reform institutions cost more than custodial options, but reflected positively on those who wished to present a 'civilized' countenance to the nation and the world."[6] Though outside the scope of Bickford's study, the Training Center on Delinquency and Youth Crime and the CHYRADU project that the Training Center oversaw can be understood within this framing. Through a federally funded program conceptualized and operated by North Carolina's preeminent public university, both the Training Center and CHYRADU sought to demonstrate that a "civilized" alternative to existing models of incarceration could still reform delinquent youth.

This article seeks to address the gap in the existing literature and broader periodization of American juvenile justice through close study of a single federally funded juvenile justice program at the University of North Carolina. I argue that 1961–1967 was a critical period when federal, state, and academic institutions looked with promise toward emerging methods in behavioral and social psychology to train juvenile justice officials and to treat the delinquent child—although the literature of juvenile justice and studies of incarceration has neglected this brief and uncertain period, perhaps because it resists easy analysis. Reflecting liberal optimism regarding the possibility of reforming individual behavior in the absence of structural reform, UNC's Training Center on Delinquency and Youth Crime led "experiments" with group therapy, a new model of youth incarceration, and the cocreation of juvenile justice. Though largely inconclusive, these experiments show the road not taken in North Carolina and nationally: an imperfect alternative to the hyperinstitutionalization of juvenile offenders that accelerated after the 1967 decision of *In re Gault*, when the Supreme Court ruled that Due Process clause of the Fourteenth Amendment must be extended to children accused of breaking the law.

II. "A Crazy Patchwork Quilt": Juvenile Justice Origins, Policy, and Reform

The Juvenile Delinquency and Youth Offenses Control Act of 1961 perpetuated the *parens patriae* doctrine of juvenile justice that was dominant throughout the nineteenth and twentieth centuries across the United States. *Parens patriae*, Latin for "parent of the nation," refers to the state's role as the ultimate parent of its youth—and thus to the state's responsibility for neglected, destitute, or delinquent children and young adults. This doctrine originated in English common law in the fourteenth century, where the sovereign served as the nation's parent for England's downtrodden children.[7] Elizabeth Scott and Laurence Steinberg argue that the *parens patriae* doctrine in the United States substituted federal state for sovereign royal power: "The role of the state as *parens patriae* goes back … to a time when the king was the protector of his people, but became institutionalized … as the basis of the state's relationship to children."[8] In the absence of sufficient care or discipline from biological or adoptive parents, the state would assume jurisdiction over "the interest and welfare of individual children."[9]

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Though the *parens patriae* model predates the American Revolution, the separation of adult and youth crime was not formalized until far later. The mid to late nineteenth century was a turning point in which Progressive reformers used the existing rhetoric of state parenthood to justify the need for separate court and justice systems to rehabilitate youth.[10] Progressive voluntary organizations led these efforts in cities and states across the United States. The Society for the Reformation of Juvenile Delinquents was instrumental in the 1825 opening of the House of Refuge, the first juvenile detention center in the United States.[11] Similarly, the work of female reformers from the Chicago Women's Club aided the passage of the Illinois Juvenile Courts Act of 1899, the law that created the world's first juvenile court.[12] The "system" of juvenile justice—really a patchwork of different local, state, and later federal structures—developed from the doctrine of *parens patriae* and a loosely aligned movement led by voluntary organizations during the late nineteenth and early twentieth centuries.

Progressive rhetoric about the material and moral dependence of children on their parents—and ultimately the state—manifested in differential legal procedures for treatment of children who break the law. Children were generally assumed to be less responsible for their conduct and therefore less deserving of punishment: though there were many exceptions, people under 18 in the United States who violated criminal law generally received more lenient punishments than adults who committed the same violation.[13] Further, juvenile courts emphasized their distinctiveness from adult criminal courts with a separate vernacular: a court case labeled *State v. John Doe* in a criminal court is *In re John Doe* in juvenile proceedings, emphasizing the state's concern for the child in contrast to the state's oppositional posture toward accused adults. Similarly, juvenile court proceedings are called "adjudication" rather than trial and the outcome of these proceedings are "dispositions" rather than sentences.[14] Because the state's intentions in the adjudication and investigation of juvenile offenses were considered wholly distinct from those at work in criminal proceedings, juveniles were not guaranteed the Fourteenth Amendment rights afforded to adults accused of crimes until 1967.[15]

By 1961, every state in the United States had codified a distinct juvenile justice system into its legal fabric, producing a "crazy-quilt patchwork" of federal, state, and local philosophies and procedures.[16] Despite the unity of their origin, disagreements proliferated (and persist today) over fundamental tenets of juvenile justice, such as the meaning of "juvenile": most states set the "age of majority"—and thus the threshold for trial in adult courts—at 18, but others set lower boundaries for juvenile court jurisdiction. Until 2019, anyone over the age of 16 accused of a criminal offense in North Carolina—no matter how minor—was prosecuted in the adult court system.[17] Many states, including North Carolina, still allow the transfer of cases from a juvenile court to an adult criminal court via "waiver" systems when they deem the offense—or the offender—to be sufficiently severe or violent.[18]

Any reform to the broad system of juvenile justice had to contend with the many variables—and consequent inefficacies—nested within it. Despite low and relatively stable levels of juvenile arrest, the federal government identified a slight increase in youth crime rates in the late 1950s as a national concern. In his

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comments after signing Executive Order 10940 on May 11, 1961, JFK grimly described "a growing anxiety and sense of urgency" about the incidence, violent nature, and effects of youth crime, which necessitated federal intervention.[19] Executive Order 10940 prescribed the formation of the President's Committee on Juvenile Delinquency and Youth Crime. Led by Attorney General Robert F. Kennedy, the President's Committee was tasked with making "recommendations ... on measures to make more effective the prevention, treatment, and control of juvenile delinquency and youth crime."[20] After four months of study, the President's Committee formally recommended the passage of legislation to address what it deemed a "dramatic increase in delinquency activity" through targeted grants to universities, municipalities, nonprofits, and local governments.[21]

The resulting Juvenile Delinquency and Youth Offenses Control Act, signed into law in September 1961, sought to confront juvenile crime with planning, programming, and training projects rather than direct reform of juvenile law. The 1961 act appropriated a total of $10,000,000 in grant funding, administered by the now-defunct Department of Health, Education, and Welfare, into these three grant categories.[22]

Though grants were available for planning, programming, and training projects, the department allocated the majority of funds to training: of the $10,000,000 available, $6,178,903 or 61.79% of allocated funds were granted to 67 training projects across the United States. Legislators dictated that training projects were to "contribute to the design and development of training materials and training programs that reflect" a comprehensive and interdisciplinary approach to the "prevention, control, and treatment" of delinquency.[23] Although it is unclear whether the financial emphasis on training was the intention of legislators or simply characteristic of the grant applications received, training projects—and thus a focus on the conduct of juvenile justice *officials* as well as juveniles themselves—were prioritized for grant funding.

The Juvenile Delinquency and Youth Offenses Control Act of 1961 was a limited intervention into the patchwork quilt of juvenile justice systems in the United States that trace their lineage back to Progressive-era concern with children's welfare and reformability. A minor crime wave in the late 1950s served as the pretext for the Kennedy administration to invoke its *parens patriae* power to safeguard the material and moral interests of children—and perhaps more critically, to reform juvenile delinquents before they matured into adult criminals. Emphasizing training and research, the 1961 act funded programs that promised to study and ultimately to reduce juvenile delinquency and crime. Rather than address the youth crime wave by breaking down the already permeable barrier between the adult and juvenile courts, the federal government opened a small window of possibility to experiment with existing and alternative models of juvenile justice.

III. The Training Center on Delinquency and Youth Crime

In July 1962, The University of North Carolina at Chapel Hill received a $153,744 grant under the Juvenile Delinquency and Youth Offenses Control Act to

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establish the Training Center on Delinquency and Youth Crime.[24] Training Centers were a subset of eligible training projects, imagined paradoxically as administratively autonomous but fully integrated into the "behavioral and social sciences disciplines" of a university.[25] Housed under the Institute of Government, UNC's Training Center sought to standardize and improve juvenile justice across the state of North Carolina by offering courses to those involved in the state's landscape of juvenile justice. Using group research and training methods pioneered by social psychologist Kurt Lewin, the Training Center worked with juvenile judges and parole officers to discuss and debate their roles in the youth justice system—though not to challenge its fundamental assumptions.[26]

Although the President's Committee imagined the ideal training center as an autonomous unit, the Institute of Government (IOG) was a natural home for a center offering training programs to local and state officials and researching juvenile crime and justice. Established in 1931, the IOG served as a central meeting place, training facility, and research group to assist local governments in North Carolina. In addition to its work on local government issues, the IOG had established partnerships with the Prison Department and researched juvenile and family law prior to the grant award in 1961. V. L. Bounds, a longtime IOG employee and director of the Training Center, worked closely with the Prison Department before and throughout the life of the Training Center, enabling "a spirit of cooperation" between the center and the state's carceral bureaucracy.[27] Roddey M. Ligon, a professor of public law and government at the IOG, wrote a 1958 report for the North Carolina Bar Association on the "domestic relations courts of North Carolina, the juvenile courts of North Carolina, and the juvenile courts of other states."[28] Ligon later helped lead a 1963 Institute on Law Enforcement and Juvenile Delinquency and a 1964 conference for juvenile court judges, school superintendents, and guidance counselors.[29]

Though existing partnerships and research experience furnished credibility for the Training Center's work on juvenile justice, few (if any) within it had direct experience in the practice of parole work or adjudication of youth cases.[30] Action research, T-groups, and sensitivity training—all methods developed and popularized by social psychologist Kurt Lewin—served as "bridges" between theory and practice, enabling Training Center staff to both instruct and learn from parole officials, judges, and others involved in the landscape of juvenile justice in North Carolina.

Kurt Lewin was a psychologist and social theorist best known for his work on group dynamics. Lewin's research on group behavior and interactions at the Massachusetts Institute of Technology and for the American Jewish Council's Commission on Community Interrelations relied on a method he described as action research: "a combination of experiment and application" ideal for academics "geared towards action, toward changing the world while simultaneously contributing to the advancement of scientific knowledge."[31] This method enabled researchers to simultaneously gather, analyze, and operationalize data with input from participants—to engage in a circuitous process of knowledge production informed by both academic and social goals.

An early version of sensitivity training emerged from a 1946 action-research experiment led by Lewin's research group at the Massachusetts Institute of

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Technology, where the goal was to "simultaneously train [workshop attendees] and provide research data" on what training methods were most effective in a group setting.[32] Workshop participants—educators, social agency workers, and labor leaders of different racial and religious backgrounds—first attended training sessions on how to address prejudice and later sat in a session where researchers discussed participant behavior, creating "an active dialogue between the researcher, the observer, the trainer, and the trainee."[33] Lewin and other researchers quickly realized the value of such group dialogue—both for gathering data and for encouraging critical self-reflection among the participants. Lewin's research on group behavior in the mid-1940s created a durable foundation for the growth of T-group, sensitivity training, and encounter group methods during the 1950s, 1960s, and 1970s.

Training Center staff found the "T-group" and other "sensitizing experiences" to be of "considerable value" during parole officer training sessions held from 1963 to 1965.[34] Although the IOG had provided training services to the North Carolina Probation Department since 1953, an expansion and reorganization of the department and the creation of the Training Center led to shifts in the method and content of parole training. The expansion of the Probation Department was a "response to a policy decision ... to find ways to curb the growth of a prison population which was already too big for existing facilities," and reflected the idea—new in North Carolina—"that community-based treatment in the form of modern probation supervision was a sound strategy in the handling of most offenders."[35] The 1963 General Assembly authorized the addition of 49 new officers to the Probation Department's field staff between 1963 and 1964—an expansion of 71% from 1962.[36]

New methods for training parole staff emphasized discussion, reflection, and consensus, building on the "proper" function of the parole official within the state's justice system. Rather than present "canned" theoretical lectures, Training Center staff led case study panels, organized interviews with revoked probationers, and held group discussions to build "functional" knowledge that would help officers with their day-to-day work.[37]

Conversations between trainer and trainee—largely unrecorded by the Training Center's retrospective reports—were the core of the new training method. A training exercise undertaken with all parole officers is illustrative: Training Center staff led "semi-structured group discussions" of an article that described the function and roles of a parole officer. The model presented in the article was meant to "provide the probation officer with a conceptual framework" of parole work and to prompt reflection on how the day-to-day reality of their work differed from the idealized description.[38] After reading the article, some officers expressed "a sense of conflict" between the legal and administrative proscriptions of their job and a "desire to work with the probationer through a meaningful relationship with him."[39] This discussion was described by Training Center staff as "invaluable" for both the officers and the development of future training sessions.[40] Though it is unclear whether any policy change emerged from these discussions, this instance of action research led to greater understanding of the *actual* role and training needs of parole officers, benefitting both Training Center and Probation Commission staff.

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Informal group discussions were the core method used with juvenile court judges in training sessions held at a "pilot" training session in the spring of 1963.[41] Training Center staff first led presentations of "statutes, cases, and Attorney General opinions regarding a topic" and then encouraged "general discussion of that topic" by the judges in attendance.[42] Though topics ranged broadly, the majority involved issues of juvenile court jurisdiction and appropriate detention practices for juvenile offenders—indicating the importance and complexity of these topics. Discussions between judges and Training Center staff illuminated the gap between the theory and practice of juvenile law.

Discussions regarding jurisdiction were led by two "prominent" juvenile court judges from North Carolina and a professor of law and government and focused on "thinking through good practice where the juvenile code is not specific."[43] Sections of law regarding juveniles were presented and discussed to assess opinions over the sometimes-ambiguous extent of the juvenile court's authority. Though consensus was reached easily over issues of neglected and dependent children, disagreement was common regarding juvenile delinquency and the distinctions between the juvenile and adult criminal systems. Discussion regarding the age limit of juvenile court jurisdiction (under 16 in North Carolina) illuminates the stark distinction between conceptions of the "delinquent" and "needy" child: though some judges felt that jurisdiction should be raised to 18, "one suggestion made was that the age should be raised to 'under 18 years of age' for neglect and dependency cases but left at 'under 16 for delinquency cases.'"[44] Delinquency was imagined as a pretext for the contraction of childhood in the eyes of some North Carolina juvenile court judges.

Further discussion of delinquency concerned the use of detention and treatment facilities for juvenile offenders. Although North Carolina law prohibited the detention of children where they could come into contact "with any adult convicted of crime and committed or under arrest and charged with crime," no separate juvenile detention facility existed in 90% of counties.[45] Recognizing the reality of this deficit—and their admitted violation of state law—the judges in attendance discussed best practices for detention with the facilities available in their counties. Most agreed that using separate detention quarters within the county jail was appropriate for juveniles aged 14 or 15 but agreed that current facilities were inadequate for holding younger children prior to adjudication. Though it is unlikely that this discussion resulted in the construction of appropriate facilities, the T-group session allowed judges to express their unease and build consensus on issues at the margin of juvenile justice theory and practice.

The Training Center on Delinquency and Youth Crime served as a hub for training and action research for juvenile justice officials across North Carolina from 1962 to 1965. This method of concurrent instruction and research encouraged all parties to reflect on the deficiencies of extant systems for addressing delinquency and youth crime—and consequently their role in those systems. The training programs and resulting reports illuminate the many gray areas between the theory and practice of juvenile justice by officials across the state: parole officers felt state policy limited their ability to form relationships with young parolees, judges debated the meaning of childhood under North Carolina law, and all parties grappled fundamentally with how to prevent the maturation

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of the juvenile offender into the adult criminal. Although such discussion was undoubtedly valuable, it was intended by the Training Center to build consensus over existing laws and practices rather than to produce substantive change in state policy from 1962 to 1965. The Training Center's latter project—The Chapel Hill Youth Development and Research Unit—was a more direct attempt to "experiment" with state juvenile justice policy.

IV. "The Highly Experimental Project": The Chapel Hill Youth Development and Research Unit, 1964–1965

A short article appeared in the May 7, 1964, issue of the *Greensboro Record* to mark the opening of the Chapel Hill Youth Development and Research Unit (CHYDARU):

> An experimental rehabilitation unit for youthful first offenders has been established on a 10-acre wooded area by the state prisons department.... The pilot project is similar to a California experiment with self-governing convict units. The inmates will not be kept behind bars but will be restricted to the extent that they may not leave the area unless accompanied by a staff member. The unit is located on the Mason Farm, owned by the University of North Carolina.[46]

As the sole newspaper reference to the CHYRADU project, this article provides frustratingly little information regarding the "experimental rehabilitation unit" and its connection to University's Training Center on Delinquency and Youth Crime. Though short-lived—the project ran for just over a year—CHYDARU represents the fullest expression of the Training Center's collaborative experiments with the theory and practice of juvenile justice and its sole attempt to enact new forms of rehabilitation for young offenders rather than to reinforce existing models.

Few sources exist with which to give shape to the CHYDARU project. Including the *Greensboro Record* article excerpted above, there are three published sources that reference CHYDARU. The first is a brief but illuminating reference in the *Summary Report* published by the Training Center in December 1965. Although this source provides little detail on the conceptualization or operation of CHYDARU, it makes clear the connection between the project and the Training Center—and by extension, the federal funding provided by the Juvenile Delinquency and Youth Offenses Control Act.[47] The only description of CHYDARU's structure, operation, and challenges is found in a chapter of the 1967 book *Imaginative Programming in Probation and Parole* by Paul W. Keve. Keve was a criminal justice professional and academic who served as Commissioner of Corrections in both Minnesota and Delaware before joining the faculty of Virginia Commonwealth University.[48] The rich detail, lack of footnotes, and third-person voice throughout the chapter suggest that Keve had firsthand knowledge of CHYDARU but did not visit the facility himself. Although it is unclear where or how Keve gathered so much information about CHYDARU, it is

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possible that over his long career in corrections he created links to individuals in the North Carolina Department of Prisons or the Training Center on Delinquency and Youth Crime.

The Chapel Hill Youth Development and Research Unit was operated in conjunction with organizations beyond the Training Center and the university. In the summary report compiled at the completion of the Juvenile Delinquency and Youth Offenses Control Act grant period, the Training Center noted its "exceedingly effective" cooperative arrangement with the state Probation Commission and Prison Department from 1962 to 1965. The report further notes the centrality of the Prison Department in the CHYDARU project: the collaboration "made it possible to undertake the highly experimental project with youthful first offenders at the Chapel Hill Youth Development and Research Unit."[49] Corrections officials from the state of California were also likely involved in the planning and execution of the project: although it is unclear from extant sources how or why the North Carolina–California partnership materialized, both the *Greensboro Record* article and the chapter in *Imaginative Programming* reference "cooperative planning between California and North Carolina corrections officials."[50]

This partnership enabled the staff and population of CHYDARU to be drawn from correctional institutions in North Carolina and California. The program's "inmates" are described in the *Summary Report* as "youthful first offenders" and by Keve as "young felons transferred from the state penitentiary."[51] Inmates were "selected jointly by the prison administration"—presumably of North Carolina—"and by clinicians from the Institute of Government."[52] It is unclear from existing sources what criteria were used for selection by the Prison Department and IOG, whether the inmates had any say in their selection and transfer, and exactly how many inmates were selected. The six original staff members were selected from "parolees in California who had been on parole without new trouble for six months to a year" and who had benefited from the type of intensive group therapy used at CHYDARU.[53] Though the use of an all-parolee staff was not the original intention, it formed part of the experimental core of the project and was intended to demonstrate the potential for parolees to lead group therapy by building rapport through the common experience of incarceration. Further, it demonstrated the Training Center and Prison Department's willingness to diverge from standard practices of juvenile detention—and a belief in the reformability of individual inmates and parolees.

The Chapel Hill Youth Development and Research Unit was imagined as a "therapeutic community" where inmates would have greater autonomy than in traditional carceral settings and would undergo intensive group therapy. Rather than remain confined to a cell, inmates were allowed to move throughout the "small open prison camp" and its "simple wooden frame buildings" on UNC's Mason Farm property.[54] Further, they had control over their own time: supervisors allowed CHYDARU "residents themselves to decide what work needed to be done around the camp and to organize to do the job" rather than dictate a daily schedule and assign work activities to individuals.[55] Although it is unclear what work residents were undertaking or how they chose to structure their time,

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this atmosphere of personal autonomy was intended to better prepare juvenile offenders for a return to life in the community than a traditional carceral setting.

In addition to control over time and movement, group therapy was an integral feature of the CHYDARU experiment. Daily therapy sessions were conducted by staff members—parolees who had themselves undergone and "been truly helped" by group therapy at correctional facilities in California.[56] Group therapy was used in carceral settings to "help individuals identify beliefs, thoughts, and behaviors that contribute to their problems—in the case of delinquent youths, to alter ... criminal conduct."[57] A 1963 article in *Federal Probation: A Journal of Correctional Philosophy and Practice* emphasizes the importance of mutual trust, open dialogue, and voluntariness in achieving positive therapeutic outcomes among youth.[58] The article also analyzes literature on juvenile group therapy programs in California, New York, and New Jersey, concluding that although group therapy was generally effective in reducing recidivism—and thus at addressing the root cause of delinquency—there were racial differences in its effect. In a comparison of two juvenile detention centers in New Jersey (one that offered group therapy and one that did not), group therapy led to a 31% reduction in recidivism among "Negro boys" and only a 5% reduction in recidivism among white boys.[59] Though the author does not suggest an explanation for the observed racial difference or comment on the use of group therapy for girls in juvenile detention centers, she calls for greater academic study of group therapy among child offenders—precisely the type of research undertaken at CHYDARU.

Despite the initial vision of the CHYDARU experiment—to study alternatives to existing juvenile detention methods, the influence of mental health care, and greater autonomy on juvenile offenders—there were complications with the project from the beginning. These procedural and ideological challenges were described ex post facto as inevitable: "something so radical and so loaded with men with problems is certain to have its daily frictions and potential dangers."[60]

Although organizers intended to have a corrections professional serve as superintendent of the CHYDARU facility, "no suitable person was found and so the parolee first designated carried that responsibility during the full thirteen months that the camp operated."[61] The absence of an authoritative prison professional was difficult for both staff and inmates: inmates occasionally attempted to "manipulate" staff, believing that their formerly incarcerated supervisors would side with inmates rather than CHYDARU organizers.[62] Although there is no record of major disturbances—escape attempts, riots, or protests—half of the original staff members left the project before its completion and were replaced by graduate students from UNC.[63]

Some inmates themselves experienced discomfort with the supposedly humane model of incarceration at CHYDARU. After spending time prior to their arrival at the camp in traditional juvenile detention facilities, inmates felt uneasy without the former strictures of daily life. The degree of autonomy over their time and movement was "anxiety-provoking" and, according to Keve, led to internal turmoil over the nature of obedience and the ability to demonstrate one's own reformability:

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> When he is in a setting with no rules and not even a daily work schedule ... the effect is provocative. How will the parole board know that he has been obeying the rules when there are no rules to obey? How can he know what to do to present himself in a good light if there are no structured and highly specific norms for what constitutes a good record in this type of place?[64]

The persistent unease of life at CHYDARU—and perhaps other "daily frictions and potential dangers" left unrecorded—led some inmates to request return to the main juvenile detention center.

The Chapel Hill Youth Development and Research Unit was closed in June 1965 after the state government failed to appropriate funds to continue the program. The "highly experimental" project on group therapy, open facilities, and ex-inmate staffing for juvenile rehabilitation ended "before any conclusive findings had been established."[65] Ironically, CHYDARU produced more questions than results during its brief life: who were the inmates and staff at CHYDARU? To what extent was the public—including the students and faculty at UNC—aware of CHYDARU? What was the nature of the relationship between the Training Center and corrections officials in California and North Carolina? How was the camp monitored for the 13 months it operated? Why were young adult males selected rather than young adult females for the project—and more broadly, to what extent did assumptions about race, gender, and reformability influence CHYDARU's research?

Frustratingly few sources are available to approach these questions: despite the involvement of both federal and state funding, only three published documents refer to CHYDARU. These glaring silences are even more puzzling considering V. L. Bounds, director of the Training Center and one of the project's likely organizers, was once described as a man with "a passion for neatness, completeness, and *documentation*."[66] One is left to speculate on the many puzzles created by the CHYDARU experiment—and on why so few pieces are available to solve them.

V. Conclusion

By 1967, the social and political mood of the United States had darkened considerably from the liberal optimism that surrounded the early years of the Kennedy administration. In January 1961, the *New York Times* journalist C. L. Sulzberger expressed his hope that President Kennedy would "rekindle this fire of our tradition" in the United States "to enrich ... our own lives in liberty."[67] In a letter to the editor titled "Optimism for Future," published a week later, a reader commended Sulzberger for capturing the "intangible feeling, that I am sure I share with many others, that the country is reawakening to a definite purpose."[68] President Kennedy's assassination in 1963, the seemingly intractable conflict in Vietnam, and domestic strife over the civil rights of Black citizens—even after the passage of the 1964 Civil Rights Act—clouded the bright future Sulzberger predicted was just over the horizon.

Against the backdrop of such intense national and global tension, the Supreme Court's decision of *In re Gault* in 1967 led to tectonic shifts in the

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juvenile justice system. The case involved the due process rights of Gerald Gault, a 15-year-old boy arrested for making lewd telephone calls to his adult neighbor —a crime punishable by two months in jail and a $50 fine under adult criminal law. Under juvenile proceedings, Gault received the sentence of six years in a state-run industrial school despite not being informed of the charges against him or having an attorney represent him at the adjudication. The Court's opinion in the *Gault* case—that Gerald Gault's constitutional rights had been violated by juvenile justice procedure—led to the extension of Fourteenth Amendment due process rights to juvenile delinquency cases, a major victory for advocates who believed juvenile courts gave youth offenders "the worst of both worlds."[69]

Ironically, this watershed case for juvenile justice led to the destruction of the rehabilitative model on which the Progressive-era juvenile courts were founded. The "due process revolution" inaugurated by the *Gault* decision led to increasingly harsh characterizations of juvenile offenders: first as "small criminals" deserving of equal punishment in addition to equal rights and later as the racialized "super predators" of the 1990s.[70] Punitive reforms to juvenile law since the *Gault* decision reflect the increasing criminalization of children: the age of judicial transfer to adult courts has decreased in the majority of states while the number of crimes triggering automatic transfer has increased. Further, juvenile court dispositions have become harsher, favoring longer sentences and more frequent use of incarceration. Scott and Steinberg argue that "the boundary of childhood has been shifted dramatically" in the decades since 1967.[71]

In the space of just six years, the promise of the Juvenile Delinquency and Youth Offenses Control Act of 1961—to prevent, control, and treat the problem of juvenile delinquency nationally without resorting to punitive reforms—had seemingly slipped away. The "experiments" of UNC's Training Center on Delinquency and Youth Crime had demonstrated a hesitant but pervasive willingness to reimagine what juvenile justice could be in North Carolina. From 1962 to 1965, currents across the state hinted at a turn toward deinstitutionalization for some offenders and alternative models for others: the expansion of the North Carolina Department of Parole was intended to reduce incarceration of adults and youths alike, judges expressed concern with the lack of appropriate options for juvenile detention, and the Training Center collaborated with corrections officials from North Carolina and California to run a parolee-staffed open prison camp for juveniles. Although the Training Center's action research with judges and parole officers and the CHYDARU "experiment" proved inconclusive at best and eerie at worst, it is important to recognize that the current hypercarceral reality—one in which an American child faces twice the risk of incarceration than a child in any other nation in the world—was never inevitable.[72]

The afterlife of the Juvenile Delinquency and Youth Offenses Control Act is visible, if faintly, in current federal juvenile justice policy. The 2018 Juvenile Justice Reform Act echoes the 1961 act's grant structure and authorizes grants "for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency … to improve the juvenile justice system."[73] Though the mandates of both laws are similar, one critical structural difference is apparent: states are the

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primary beneficiary of funds from the 2018 act, in contrast to universities and private community organizations in the 1961 law. The four core requirements that states must address to receive annual funding through the 2018 act—removal of juvenile offenders from adult jails, "sight and sound" separation of juveniles tried as adults from adult inmates, reduction of racial and ethnic disparities, and deinstitutionalization of certain juvenile offenders—bear strong resemblance to the core reforms identified by the Training Center in the early 1960s.[74]

Although a pessimistic appraisal of these parallels may yield the conclusion that little progress has been made in juvenile justice since the Juvenile Delinquency and Youth Offenses Control Act of 1961, a trained (and perhaps optimistic) eye can see the détente between federal policy and juvenile offenders that has occurred between the mid-1960s and present day. After the 1967 decision of *In re Gault* and the consequent toughening of both federal and state dispositions toward children, the pendulum of juvenile justice policy has returned to the 1961 position. Armed with the lessons of the Juvenile Delinquency and Youth Offenses Control Act, the Training Center on Delinquency and Youth Crime, and the Chapel Hill Youth Development and Research Unit, the task of the present is to not repeat policy failures of the past.

Notes

[1] Wayne King, "JFK Accepts Degree With Somber Speech," *The Daily Tar Heel*, October 27, 1961, https://newspapers.digitalnc.org/lccn/sn92073228/1961-10-13/ed-1/seq-1/.

[2] John Kennedy, "Address at the University of North Carolina," recorded at Kenan Stadium, Chapel Hill, NC, October 12, 1961, https://millercenter.org/the-presidency/presidential-speeches/october-12-1961-address-university-north-carolina.

[3] Juvenile Delinquency and Youth Offenses Control Act, 42 U.S.C. §2542 (1961), https://uscode.house.gov/view.xhtml;jsessionid=BFD1644F35E0181BCD9D5B4486515E01?path=&req=granuleid%3AUSC-1999-title42-section2541&f=&fq=&num=0&hl=false&edition=1999.

[4] Naomi Murakawa, *The First Civil Right: How Liberals Built America's Prisons* (New York: Oxford University Press, 2014), 74.

[5] Gordon Raley, "The JJDP Act: A Second Look," *Juvenile Justice* 2, no. 2 (Fall 1995): 12, https://heinonline.org/HOL/P?h=hein.journals/juvejstc2&i=40.

[6] Annette Louise Bickford, *Southern Mercy: Empire and American Civilization in Juvenile Justice Reform, 1890-1944* (Toronto, Canada: University of Toronto Press, 2016), 18.

[7] Thomas Bernard and Megan Kurlycheck, *The Cycle of Juvenile Justice* (New York: Oxford University Press, 2010), 19.

[8] Elizabeth Scott and Lawrence Steinberg, *Rethinking Juvenile Justice* (Cambridge, MA: Harvard University Press, 2008), 69–70.

[9] Scott and Steinberg, *Rethinking*, 69.

[10] Scott and Steinberg, *Rethinking*, 86–87.

[11] Bernard and Kurlycheck, *The Cycle*, 52.

[12] Elizabeth Clapp, *The Mothers of All Children: Women Reformers and the Rise of Juvenile Courts in Progressive Era America* (University Park: Pennsylvania State University Press, 2010), 36–37.

[13] Bernard and Kurlychek, *The Cycle*, 19.

[14] Bernard and Kurlychek, *The Cycle*, 78.

[15] Scott and Steinberg, *Rethinking*, 89.

[16] Murakawa, *The First Civil Right*, 92.

[17] Bernard and Kurlychek, *The Cycle*, 19.

https://doi.org/10.1017/S0898030623000258 Published online by Cambridge University Press

[18] Bernard and Kurlychek, *The Cycle*, 19.
[19] Arthur Goldberg and Robert Kennedy, "Report to the President," (Washington, DC: President's Committee on Juvenile Delinquency and Youth Crime, 1962), 1–4, https://babel.hathitrust.org/cgi/pt?id=hvd.32044032153389&view=1up&seq=4.
[20] John Kennedy, "Executive Order 10940–Establishing the President's Committee on Juvenile Delinquency and Youth Crime," May 11, 1961, https://www.presidency.ucsb.edu/documents/executive-order-10940-establishing-the-presidents-committee-juvenile-delinquency-and-youth.
[21] Goldberg and Kennedy, "Report to the President," 4–6.
[22] Juvenile Delinquency and Youth Offenses Control Act, § 2–6.
[23] *Summaries of Training Projects* (Washington, DC: President's Committee on Juvenile Delinquency and Youth Crime, April 1965), 157, https://babel.hathitrust.org/cgi/pt?id=hvd.32044032152290&view=1up&seq=5&skin=2021.
[24] *Summaries of Training Projects*, 7.
[25] *Summaries of Training Projects*, 158.
[26] *Summaries of Training Projects*, 23.
[27] Richard McMahon, *Probation Training: History, Development and Evaluation* (Chapel Hill: Training Center on Delinquency and Youth Crime, Institute of Government, the University of North Carolina at Chapel Hill, 1965), 2.
[28] Rodey Ligon, *A Report on the Domestic Relations Courts of North Carolina, the Juvenile Courts of North Carolina, and the Juvenile Courts of Other States* (Chapel Hill: Institute of Government, University of North Carolina at Chapel Hill, 1968), 5.
[29] *Summary Report* (Chapel Hill: Training Center on Delinquency and Youth Crime, Institute of Government, the University of North Carolina at Chapel Hill, 1965), 29–34.
[30] Richard McMahon, *Probation Training: Content and Method* (Chapel Hill: Training Center on Delinquency and Youth Crime, Institute of Government, the University of North Carolina at Chapel Hill, 1965), 44.
[31] Alfred Marrow, *The Practical Theorist: The Life and Work of Kurt Lewin* (New York: Basic Books, 1969), 164.
[32] Marrow, *The Practical Theorist*, 211.
[33] Marrow, *The Practical Theorist*, 212.
[34] McMahon, *Content*, 6.
[35] McMahon, *History*, 3.
[36] McMahon, *History*, 2–3. Sixty-nine original staff were employed in 1963 and 49 were hired after the reform, leading to 83% growth in the Department's size.
[37] McMahon, *Content*, 7.
[38] McMahon, *History*, 23.
[39] McMahon, *History*, 23.
[40] McMahon, *Content*, 17.
[41] Thomas Mason, *Report of Training and Curriculum Development for Juvenile Court Judges in North Carolina* (Chapel Hill: Training Center on Delinquency and Youth Crime, Institute of Government, the University of North Carolina at Chapel Hill, 1965), 27.
[42] Mason, *Training and Curriculum*, 34.
[43] Mason, *Training and Curriculum*, 9.
[44] Mason, *Training and Curriculum*, 34.
[45] Mason, *Training and Curriculum*, 83.
[46] "Rehabilitation Unit for Youths Opens in Orange County," *Greensboro Record*, May 7, 1964, https://infoweb-newsbank-com.libproxy.lib.unc.edu/apps/readex/doc?p=EANX&docref=image/v2%3A11EA68CD17067F8E%40EANX-13FAC1A5986DC327%402438523-13F6EE0B2A1BC8FC%405-13F6EE0B2A1BC8FC%40.
[47] *Summary Report*, 7.
[48] Paul W. Keve (1913-1999)–Criminal Justice Professional, Corrections Administrator, and Author, Social Welfare History Project, Virginia Commonwealth University, 2004, https://socialwelfare.library.vcu.edu/corrections/keve-paul-w/.
[49] *Summary Report*, 7.

https://doi.org/10.1017/S0898030623000258 Published online by Cambridge University Press

[50] Paul Keve, *Imaginative Programming in Probation and Parole* (Minneapolis, Minnesota: University of Minnesota Press, 1967), 212.
[51] *Summary Report*, 7; Keve, *Imaginative Programming*, 212.
[52] Keve, *Imaginative Programming*, 212.
[53] Keve, *Imaginative Programming*, 212.
[54] Keve, *Imaginative Programming*, 212.
[55] Keve, *Imaginative Programming*, 213.
[56] Keve, *Imaginative Programming*, 212.
[57] Scott and Steinberg, *Rethinking*, 340.
[58] Mabel Elliot, "Group Therapy in Dealing with Juvenile and Adult Offenders," *Federal Probation* 27, no. 3 (1963): 50, https://heinonline.org/HOL/P?h=hein.journals/fedpro27&i=212.
[59] Elliott, "Group Therapy," 53.
[60] Keve, *Imaginative Programming*, 214.
[61] Keve, *Imaginative Programming*, 214.
[62] Keve, *Imaginative Programming*, 214.
[63] Keve, *Imaginative Programming*, 215.
[64] Keve, *Imaginative Programming*, 214.
[65] *Summary Report*, 7.
[66] J. A. C. Dunn, "A Talk With Prof. V. L. Bounds," *The Chapel Hill Weekly*, February 3, 1963, https://newspapers.digitalnc.org/lccn/sn92073229/1963-02-03/ed-1/seq-2/.
[67] C. L. Sulzberger, "A New Frontier and an Old Dream," *New York Times*, January 23, 1961, https://timesmachine.nytimes.com/timesmachine/1961/01/23/97652207.html?pageNumber=22.
[68] G. Robert Roy, "Optimism for Future," *New York Times*, February 2, 1961, https://timesmachine.nytimes.com/timesmachine/1961/02/02/118018802.pdf?pdf_redirect=true&ip=0.
[69] Scott and Steinberg, *Rethinking*, 89–91.
[70] Scott and Steinberg, *Rethinking*, 84.
[71] Scott and Steinberg, *Rethinking*, 98–99.
[72] Patrick McCarthy, Vincent Schiraldi, and Miriam Shark, "The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model," *New Thinking in Community Corrections* 2, no. 1 (October 2016): 15, https://www.researchgate.net/publication/310607289_The_Future_of_Youth_Justice_A_Community-Based_Alternative_to_the_Youth_Prison_Model.
[73] Caren Harp, *Fact Sheet: Key Amendments to the Juvenile Justice and Delinquency Prevention Act Made by the Juvenile Justice Reform Act of 2018* (Washington, DC: U.S. Department of Justice, June 2019), https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/252961.pdf.
[74] Harp, "Fact Sheet."

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