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TAGS: CASC, ASEC, FJ

SUBJECT: RELOCATION OF BEHAVIOR MODIFICATION FACILITY
TO FIJI

REF: A) STATE 219681, B) WELLINGTON 753, C) APIA 0045
D) BEHAVIOR MODIFICATION FACT SHEET

THIS IS AN ACTION TELEGRAM. SEE PARA 4.

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1. DEPARTMENT UNDERSTANDS THAT THE GOVERNMENT OF FIJI
HAS BEEN IN CONTACT WITH THE GOVERNMENT OF SAMOA TO
INQUIRE ABOUT THAT COUNTRY'S EXPERIENCE WITH YOUTH
REHABILITATION CAMPS AND THAT SUCH A PROGRAM MAY BE
OPENING SOON IN FIJI. CA/OCS/ACS FAXED POST REFTELS
WHICH GIVE BACKGROUND ON BEHAVIOR MODIFICATION
FACILITIES AND THEIR USE BY FAMILIES TO REIGN IN
RECALCITRANT CHILDREN FOR WHOM TRADITIONAL DISCIPLINE
HAS NOT PRODUCED THE DESIRED RESULTS.

**REVIEW AUTHORITY: Charles Lahiguera, Senior
Reviewer**

2. AS REF A NOTES, AMERICAN PARENTS WHO SEND THEIR
CHILDREN TO THESE FACILITIES OFTEN SIGN CONTRACTS THAT
GRANT SOLE DISCRETION TO THE FACILITY FOR SCHOOLING AS
WELL AS DISCIPLINE WHICH CAN INCLUDE THE USE OF
RESTRAINTS, CHEMICAL AGENTS, AND ISOLATION IF NECESSRY

TO ACHIEVE THE PROGRAM'S OBJECTIVES. THE CHILDREN IN
THE FACILITIES ARE ESCORTED TO THE FACILITIES, OFTEN
AGAINST THEIR WILL OR UNDER A MISCONCEPTION AS TO THE

PURPOSES OF THE PROGRAM. THEY THEN FIND THEMSELVES ISOLATED IN A FOREIGN COUNTRY WITHOUT ACCESS TO OUTSIDE SUPPORT. PARENTS TYPICALLY AGREE TO HOLD THE FACILITIES HARMLESS (NOT LIABLE) FOR ANY DAMAGES CAUSED BY MISTAKES IN JUDGMENT OR ACTIONS OF THE PROGRAM STAFF. CHILDREN AND PARENTS CONTACT ONE ANOTHER THROUGH A DESIGNATED CASE WORKER.

3. WHILE THERE ARE MANY REPORTED SUCCESS STORIES, THE OVERALL TRACK RECORD OF THESE FACILITIES IS MIXED. SINCE OWNERS ESTABLISH OPERATIONS IN COUNTRIES WHERE THEY CAN OPERATE IN AN ATMOSPHERE OF LITTLE OR NO

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GOVERNMENT REGULATION, THERE EXISTS THE POTENTIALILTY FOR NEGLIGENCE OR MISTREATMENT OF ENROLLEES BY THE STAFF OF THE FACILITIES. CONSEQUENTLY, ALLEGATIONS OF ABUSE AND NEGLIGENCE WHICH SURFACE PERIODICALLY, MUST ALL BE TAKEN VERY SERIOUSLY BY POST'S CONSULAR OFFICER. THESE CASES TEND TO DRAW HEAVILY ON PERSONNEL RESOURCES, PARTICULARLY AT OUR SMALLER POSTS, AND HAVE ALSO GENERATED HIGH PROFILE ATTENTION FROM THE U.S. MEDIA.

4. SAMOA HOSTS THREE OF THESE PROGRAMS - "PARADISE COVE", "A BETTER WAY" AND "PACIFIC COAST ACADEMY." "NEW HOPE ACADEMY" RECENTLY CLOSED. PARADISE COVE HAS BEEN SUFFERING FROM DECLINING ENROLLMENT, IN LARGE PART BECAUSE OF BAD PRESS AND GOS INVESTIGATIONS INTO ITS OPERATIONS. IN ADDITION, PER REF C, THE GOS PLANS TO ADOPT NEW REGULATIONS AND IMPOSE TAXES ON BEHAVIOR MODIFICATION FACILITIES IN SAMOA. THE DIRECTOR OF PARADISE COVE, MR. BRIAN VAIFANUA, IS REPORTEDLY NOW SEEKING TO RELOCATE THE FACILITY TO A NEW SITE, POSSIBLY FIJI.

5. POST IS REQUESTED TO CONTACT THE FIJI MINISTRY OF FOREIGN AFFAIRS AND OFFER TO REVIEW OUR EXPERIENCES WITH THIS AND SIMILAR PROGRAMS IN SAMOA. POST SHOULD ADVISE THE GOF THAT THESE PROGRAMS HAVE RECENTLY GENERATED EXPOSE PIECES BY AMERICAN NEWS SHOWS. SHOULD THE GOVERNMENT OF FIJI DECIDE TO PERMIT ESTABLISHMENT OF A YOUTH CAMP, POST SHOULD OFFER TO COOPERATE WITH THE GOF TO MAKE THE OPERATIONS TRANSPARENT AND "BY THE BOOK." POST SHOULD DRAW ON

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THE POINTS IN REF A TO REMIND THE GOF OF ITS RESPONSIBILITY TO MONITOR THE FACILITY, TO PROVIDE FOR

THE HEALTH AND SAFETY OF AMCITS ENROLLED, AND TO REQUIRE FACILITIES TO GRANT CONSULAR ACCESS IN ACCORD WITH ARTICLE 36-1(A) OF THE VIENNA CONVENTION ON CONSULAR RELATIONS (THE 1951 U.S.-U.K. BILATERAL

CONSULAR CONVENTION ALSO CONTINUES IN FORCE FOR FIJI).
POST SHOULD ALSO ENCOURAGE THE GOF TO CONTINUE
CONSULTATIONS WITH THE SAMOAN GOVERNMENT, WHICH MIGHT
BE WILLING TO SHARE ITS IDEA FOR A COMPREHENSIVE
REGULATORY SCHEME FOR SUCH FACILITIES.
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