

SENSORY AND CULTURAL DEPRIVATION IN CHILDREN¹

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May 30, 1996

Experimental psychologist can demonstrate in laboratory experiments that primates which undergo species deprivation during the critical period undergo behavioral problems at maturity to the extent of not being able to mate absent rehabilitation.³ This literature has been applied to human childhood development.⁴ Medical literature seems to indicate a decline in infant mortality for premature babies kept in incubators where an adult messages the infant after birth periodically, suggesting that the species deprivation phenomenon may be applicable to humans.⁵ There is

¹ From Emerging Standards of Decency and Sovereignty, by James Joseph Lynch, Jr., © 1988

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³ Harry Harlow, Ph.D., Wisconsin; Brownfield, ISOLATION (1965) Shultz, SENSORY RESTRICTION (1965); Siffre, SENSORY DEPRIVATION (1964); Siffre, HORS DU TEMPS (1963); Vernon, INSIDE THE BLACK ROOM (1963); Zuckerman, STRESS AND HALLUCINATORY EFFECTS OF PERCEPTUAL ISOLATION AND CONFINEMENT (1962); Baunach, MOTHERS IN PRISON (1985); Stanton, WHEN MOTHERS GO TO JAIL (1980); Bauman, PSYCHIATRIC REHABILITATION IN THE GHETTO (1974); Brownfield, THE BRAIN BENDERS (1972); Hess, THE PHYSICAL AND MENTAL GROWTH OF PREMATURELY BORN CHILDREN (1934); Hutchinson, THE BOOK OF FLOATING (1984); Jason, PARENTING YOUR CHILDREN (1989); Saltzman, CARING FOR THE PREMATURE BABY (1951); Stearns, LIVING THROUGH PERSONAL CRISIS (1985); Biermann, *Macht und Ohnmacht im Umgang mit Kindern/Power and Powerless in dealing with children*, 33(6) Praxis der Kinderpsychologie und Kinderpsychiatrie 206-13 (1984); Burns, *Use of oscillating waterbeds and rhythmic sounds for premature infant stimulation*, 19(5) Developmental Psychology 746-51 (1983); Katz, *Auditory stimulation and development behavior of the premature infant*, 20(3) Nursing Research 196-201 (1971); Kramer, *Extra Tactile Stimulation of the premature infant*, 24(5) Nursing Research 324-34 (1975); Segall, *Cardiac responsivity to auditory stimulation in premature infants*, 21(1) Nursing Research 15-19 (1972); White, *The effects of tactile and kinesthetic stimulation on neonatal development in the premature infant*, 9(6) Developmental Psychobiology 569-77 (1976); Wigg, *The life cycle: 0-3 years*, 5(4) Australian Journal of Family Therapy 293-96 (1984).

⁴ Kennedy, *Child Psychology* (Prentice-Hall, 1971).

⁵ Burns, *Use of oscillating waterbeds and rhythmic sounds for premature infant stimulation*, 19(5) Developmental Psychology 746-51 (1983); Katz, *Auditory stimulation and development behavior of the premature infant*, 20(3) Nursing Research 196-201 (1971); Kramer, *Extra Tactile Stimulation of the premature infant*, 24(5) Nursing Research 324-34 (1975); Segall, *Cardiac responsivity to auditory stimulation in premature infants*, 21(1) Nursing Research 15-19 (1972); White, *The effects of tactile and kinesthetic stimulation on neonatal development in the premature infant*, 9(6) Developmental Psychobiology 569-77 (1976).

other literature, which suggests that adult children of alcoholics also suffer maladaptive behavior problems, which can be corrected if recognized.⁶ And finally, new literature from the field of psychology has demonstrated that certain classes of mentally disordered offenders can benefit from treatment.⁷ California has accepted the premise that bonding is a significant factor in child development and has set up special prison facilities for women with new born and infants so that they can continue to nurture their young in the hopes of developing human bonding. Calif. Penal Code § 3410, et. seq.

Where society breaches its duty by failing to remove a person as a child from an unfit home, vis W&I § 300 petition, then society ought not to be allowed later to take that person's life as an adult for a wrong under circumstances where Society stood by and allowed that person to be programmed for wrongful acts, but should be required to rehabilitate that Person. Otherwise, the punishment would amount to cruel and unusual punishment. *E.g.*, *Thompson v. Oklahoma*, 108 U.S. 2687 (1988); *Ake v. Oklahoma* (1985) 470 U.S. 68; *Lockett v. Ohio* (1978) 438 U.S. 586; *Eddings v. Oklahoma* (1982) 455 U.S. 104; *Robinson v. California* (1962) 370 U.S. 483; *Brown v. Board of Education (Brown II)* (1955) 349 U.S. 294, 29 ,fn. 11. [Psychological damage to children forced to undergo racial segregation.

⁶ See, Davis, *A New Insanity: Fetal Alcohol Syndrome*, 17 *The Champion* No. 3, p. 33 (1993).

⁷ Rice, et al, *An Evaluation of a Maximum Security Therapeutic Community for Psychopaths and Other Mentally Disordered Offenders* (1992) 16 *Law & Human Behavior* 399; Gerstley, Ph.D., et al, *Ability to Form an Alliance With the Therapist: A Possible Marker of Prognosis for Patients With Antisocial Personality Disorder* (1989) 146 *Am J. Psychiatry* 508.