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# Police and Juveniles

## CHAPTER HIGHLIGHTS

- ❖ The Police and Juvenile Crime
- ❖ Police Roles and Responsibilities
- ❖ Police–Juvenile Relations
- ❖ Police Discretion
- ❖ Race as a Factor in Juvenile Arrests
- ❖ Alternatives to Police Arrest and Custody

**T**he first contact that a young juvenile offender has with the juvenile justice system is with a police officer. The nature and circumstances of this police contact are likely to be significant and have a lasting impression on a young person. In this chapter we examine police roles and responsibilities in general, and the unique roles that police have when dealing with juvenile offenders. Children and juveniles are involved in a variety of law violations ranging from **status offenses** to more serious offending, and present special challenges for the policing function. We discuss alternatives to traditional law enforcement strategies, such as community- or problem-oriented policing; curfew enforcement; preventive efforts such as D.A.R.E. and School Resource Officers; police procedures for taking juvenile offenders into custody; legal guidelines for interrogation and gathering evidence; and police officers' discretion in deciding whether to refer a case to juvenile court or to use other alternatives.

## The Police and Juvenile Crime

For juveniles, the police role is considered especially important, because young persons' views and attitudes toward law enforcement are shaped by their first encounter

with a police officer. Juvenile offenders are involved in a disproportionately large number of crimes relative to their percentage of the population, so they present a special challenge for law enforcement. In 2005, law enforcement agencies in the United States made an estimated 2.1 million arrests of persons under age 18. Juveniles accounted for about 16% of all violent crime arrests and 26% of all property crime arrests in 2005 (Snyder, 2007, p. 1).

The police role with juveniles is expanded because they handle many noncriminal matters referred to as *status offenses*, including running away, curfew violations, and truancy as well as nondelinquent juvenile matters such as neglect, abuse, and missing persons reports. Most urban police departments have special police units or juvenile bureaus for handling the increasing number of juvenile cases. Duties of special juvenile officers include taking missing children reports; examining runaway cases; investigating juvenile crimes; contacting and interviewing juveniles, their parents, school officials, and complainants regarding the circumstances of an offense; maintaining juvenile records; and appearing in juvenile court.

Juveniles are less predictable than adults, and often exhibit less respect for the authority of officers. The immaturity of many children and youth means that they are more susceptible to the dares of other youth, and they often engage in deviant behavior when in the company of their peers. Many youth view the police officer on patrol not as a deterrent to delinquent behavior, but as a challenge to avoiding detection and confrontation while loitering at night or engaging in behaviors ranging from petty mischief, to property damage and vandalism, to more serious crimes of theft and assaults. The immaturity of youth coupled with limited parental supervision and negative peer influence presents special problems for police, who frequently encounter juveniles with little respect for law and authority. Juveniles also present a special problem for police because they are less cognizant of the consequences of their actions and of the effects of their delinquent behavior on their victims, their parents and families, their peers, and themselves. Before discussing police roles with juvenile offenders, we provide an overview of police roles in general.

## Police Roles and Responsibilities

Police officers are the most visible officials in the criminal justice system. They introduce citizens to the justice process. That introduction ranges from taking a report from a victim or witness to a crime, issuing a traffic citation, to questioning or taking into custody a suspect in a misdemeanor or felony offense. Police are charged with preventing crime and enforcing the law. They are given the authority to make arrests, to use reasonable physical force when necessary, and to take persons charged with crimes into custody. Society entrusts a great deal of authority to police, but also expects a lot from them. Police are expected to provide public order and safety; to prevent crimes from occurring, and find and apprehend offenders when crimes occur; and to perform a variety of law enforcement functions without violating constitutional rights. In reality, traditional police patrol does little to prevent crime. Police in most cases react to crime after it has already happened, responding to citizen calls, reporting to crime scenes, conducting investigations, and tracking and apprehending offenders. The fact

that police are called upon for many services besides law enforcement makes their job even more difficult.

Police officers actually perform three roles in fulfilling their law enforcement responsibilities: law enforcement, order maintenance, and service (Wilson, 1968). The public and the police themselves have viewed the law enforcement function as the primary and most important task, and little attention was given to the others, which were considered less important, and not “real law enforcement.”

### Law Enforcement

The traditional law enforcement role of police is to detect and investigate crimes, and to apprehend those responsible for committing crimes. Police attempt to detect crimes through regular police patrols and by responding to complaints of victims and statements of witnesses. The traditional law enforcement role gives police visibility to the public as they “protect and serve.” There are some additional challenges in policing crimes such as drug dealing, gambling, and prostitution, where there are no witnesses or clearly identified victims. To enforce laws against the so-called victimless crimes (or more appropriately termed *consensual* crimes, because persons involved are willing participants), police work as undercover officers to detect the crimes and make arrests. The law enforcement role includes enforcement of traffic laws and parking violations, and it is here that officers have the most interaction with the general public as law enforcers. To finalize their law enforcement role and ensure that suspects are brought to trial, police engage in interrogation of suspects, collection of physical evidence at a crime scene, and presentation of the evidence in court.



SOURCE: © Ruaridh Stewart/ZUMA/Corbis.

**Photo 6.1** A juvenile offender suspect awaits verification of juvenile status and questioning by police.

### Order Maintenance

The order maintenance function of the police involves crowd control during events such as parades, large public gatherings, music concerts, sports competitions in indoor and outdoor stadiums; patrolling on foot, bicycle, horseback, or in vehicles; and patrolling on streets, sidewalks, and in public parks. The order maintenance function parallels the law enforcement role when officers intervene to control disorderly behavior. The order maintenance role is less clear (both to the public and to many police) than the law enforcement role, mainly because the behaviors being controlled are less clearly defined. “Disorderly behavior,” for example, generally refers to behavior that disturbs the public peace, but the exact definition and an officer’s determination whether the behavior warrants official intervention depends on the neighborhood location and the time during which the disturbance occurs. The officer’s role may be that of telling participants of a loud party to quiet down, or dispersing a group of juveniles who are loitering on a street corner or in front of a business establishment.

### Service Function

The third role of police is that of providing services to the public. This may include providing aid or assistance to persons in need, such as calling a tow truck for a stranded motorist; transporting abandoned or neglected children to a hospital or shelter facility; delivering a baby whose mother did not make it to the hospital on time. The service function often results in a combination of functions, such as when one officer transports abandoned children to a shelter, and another officer locates the parent(s) and initiates a child abuse investigation (a law enforcement function). The service function more recently has come to include an educational component, such as when police are assigned to schools to assist in the education of children and youth on the dangers of drugs and how to avoid drug abuse.

The three primary roles of police are very different on a number of dimensions: criminal versus noncriminal, urgent versus routine, and dangerous versus relatively safe (Dorne & Gewerth, 1995). Police officers generally view the law enforcement function as the primary role, while order maintenance and service tasks have been typically regarded with mixed feelings, ranging from ambivalence to disdain (Moore, 1992). Police officers hold varying opinions of the importance of each of the roles, and they do not undertake these three functions with equal degrees of enthusiasm. They are given considerable autonomy and independence in carrying out their law enforcement roles, and are allowed to place greater or lesser importance on a given role depending on their assigned patrol area and individual circumstances.

The service functions of policing take on a special emphasis in relation to juveniles. Police are expected to *protect children* and to *prevent delinquency* (Sanborn & Salerno, 2005). Child protection may involve intervening in suspected cases of child neglect (being left at home alone, or left inside a vehicle in cold or hot weather conditions); endangering a child’s safety (failure to use a car seat or seat belts); or child abuse such as physical punishment that may involve serious injury or even death. Child neglect and abuse have been shown to have a relationship with status offenses such as running away, which in turn often lead to more serious delinquency. The primary reason for the

inclusion of status offenses in all juvenile statutes, in fact, is for child protection and delinquency prevention. Laws giving police the authority to intervene in noncriminal behaviors such as running away, truancy, and curfew violations are intended to protect them and to prevent worse delinquent behavior.

## POLICY AND PRACTICE 6.1

## CONSIDERATIONS FOR CHILD ABUSE INVESTIGATIONS

Police officers have a number of alternatives available for handling situations that involve child abuse. Officers must be objective and proactive in their investigations of abuse. Questions concerning who, what, where, when, how, and why must be answered. It is important to remember that child abuse is a crime, and law enforcement has a legal duty and responsibility to respond accordingly. Police departments must establish policies and procedures to investigate child abuse cases, and they need to consider many important factors:

### *When You Receive the Referral*

- Know department guidelines and State statutes.
- Know what resources are available in the community . . . and provide this information to the child's family.
- Introduce yourself, your role, and the focus and objective of the investigation.
- Assure that the best treatment will be provided for the protection of the child.
- Interview the child alone, focusing on corroborative evidence.
- Don't rule out the possibility of child abuse with a domestic dispute complaint; talk with the children at the scene.

### *Getting Information for the Preliminary Report*

- Inquire about the history of the abusive situation. Dates are important to set the timeline.
- Cover the elements of crime necessary for the report. Inquire about the instrument of abuse or other items on the scene.
- Don't discount children's statements about who is abusing them, where, how, or what types of acts occurred.
- Save opinions for the end of the report, and provide supportive facts.

### *Preserving the Crime Scene*

- Treat the scene as a crime scene . . . and not as the site of a social problem.
- Secure the instrument of abuse or other corroborative evidence.
- Photograph the scene and, when appropriate, include any injuries to the child.

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#### *Follow-up Investigation*

- Be supportive . . . to the child and the family.
- Arrange for a medical examination and transportation to the hospital.
- Be sure the child and family have been linked to support services or therapy.
- Be sure the family know how to reach a detective to disclose further information.

#### *During the Court Phase*

- Visit the court with the child; familiarize her or him with the courtroom setting.
- Prepare courtroom exhibits to . . . support the child's testimony.
- File all evidence in accordance with state and court policy.
- Unless they are suspects, update the family about the status and progress of the investigation and stay in touch with them throughout the court process.
- Provide court results and case closure information to the child and the family.
- Follow up with the probation department for preparation of the presentence report and victim impact statement(s).

*SOURCE:* Hammond, B., Lanning, K., Promisel, W., Shepherd, J. R., & Walsh, B. (2001). *Law enforcement responses to child abuse: Portable guides to investigating child abuse*. Washington, DC: U.S. Department of Justice. Retrieved September 3, 2008, from <http://www.ncjrs.gov/pdffiles/162425.pdf>.

### **Discussion Questions**

1. Compare the guidelines above with the police roles in this chapter, and indicate whether child abuse reports involve the police role of law enforcement, order maintenance, or service (or a combination of them).
2. Give an example of how police involvement in a child neglect or abuse case could involve both the law enforcement and service functions.
3. Explain why many police officers believe that investigating a child abuse case is more difficult than investigating assaults involving teenagers or young adults.

## **Police–Juvenile Relations**

Police officers encounter a wide variety of deviant and delinquent behavior among children and youth, ranging from minor status offenses to serious crimes. The majority of police encounters with juveniles are in response to minor offenses that involve an order maintenance function of law enforcement (Friedman, Lurigio, Greenleaf, & Albertson, 2004). Regardless of the seriousness of the behavior, however, the nature of the police–juvenile encounter can make a significant difference on police–juvenile

relations. Sherman (1997) noted that police themselves often create a risk factor for crime by using “bad manners.” Research evidence indicates that when police are less respectful toward suspects and citizens in general, then citizens also tend to have less respect for police officers and for the law (Sherman, 1997, p. 8–1). Juveniles are critical of police practices such as stopping to question them, asking them to “move on” and not loiter on street corners, parking lots, or in front of stores. African American and Hispanic youth, and those living in urban areas, are more critical of police than white students or those living in suburban or rural areas (Taylor, Turner, Esbensen, & Winfree, 2001). Students often have ambivalent or mixed feelings about police. Taylor et al. (2001) found that a majority of students in their study believed that police are friendly and hard working, but they also believed that officers are racially prejudiced and dishonest. They did *not* believe that police officers contribute directly to the negative feelings, however. The reasons for juveniles’ negative attitudes toward police are likely the inevitable result of police officers’ fair but unpopular restrictions on young peoples’ behaviors (Taylor et al., 2001). Lieber, Nalla, and Farnsworth (1998) suggested that community policing practices and problem-oriented policing can positively influence youths’ perceptions of police, but Hurst and Frank (2000) have noted that attempting to involve youths in community-oriented policing is a challenge because of their negative views and disapproval of many police functions. Friedman and his associates (2004) have noted that both police and youth’s demeanors affect the perceived nature and outcomes of their encounters, so there is reason to believe that juveniles’ negativity toward the police might have triggered officer disrespect, which in turn feeds juveniles’ negative attitudes. In short, they believe that police–juvenile interactions are a two-way street. Young people react to how police officers treat them, and officers often respond in kind to juveniles’ disrespectful behavior. Working with juveniles is a challenge, and police departments do well to provide officers with cultural awareness training to enhance their skills in working and interacting with juveniles (Friedman et al., 2004).

*Community Policing.* A new approach and philosophy of policing was developed in the 1990s based on the concept that police officers and citizens working together can help solve community problems related to crime, neighborhood decay and disorder, and fear of crime. Community policing is based on the belief that crime reduction requires police departments to develop a new relationship with the law-abiding citizens in the community, seeking their input and involvement to improve the quality of life in their neighborhoods (Trojanowicz & Bucqueroux, 1990). Community policing is a significant change in the philosophy and structure of law enforcement in the United States, and is defined by some new and innovative organizational strategies, including:

- *Community Partnerships:* Collaboration between law enforcement agencies and the individuals and organizations they serve to develop solutions to community problems and to increase trust in the police.
- *Organizational Transformation:* Realigning organizational management, structure, personnel, and information systems to support community partnerships and perform problem-solving tasks.

- *Problem Solving*: The process of engaging in proactive and systematic examination of identified problems in order to develop effective responses (Office of Community Oriented Policing Services, 2008).

The value of community policing and its potential for making a greater impact on community crime than the traditional reactive style of responding only to dispatchers' calls for service has been recognized by local police administrators and officers, and by the U.S. Department of Justice. The Advancing Community Policing (ACP) Grant Program was established by the Office of Community Oriented Policing Services (COPS Office) in 1997 to help law enforcement agencies develop community policing strategies in communities and cities throughout the nation (Schneider, 2003).

Two law enforcement initiatives that are applications of the community policing approach and that have helped to improve relations between police and juveniles include D.A.R.E. (Drug Awareness Resistance Education) programs and the emergence of School Resource Officers (SROs) working in an increasing number of schools throughout the United States.

*D.A.R.E. Officers.* The most prominent program involving police with children and youth is the Drug Awareness Resistance Education (D.A.R.E.) program that has been implemented in schools throughout the United States. Originally begun by the Los Angeles Police Department, D.A.R.E. programs have been established in large and smaller cities throughout the country. Special juvenile officers undergo several weeks of training in order to be a D.A.R.E. officer and present the structured curriculum of educational materials primarily to fifth and sixth graders. D.A.R.E. programs have operated in all 50 states and in six foreign countries (Rosenbaum, Flewelling, Bailey, Ringwalt, & Wilkinson, 1994). D.A.R.E. is unique with its collaborative effort between education and law enforcement, and for the use of trained, uniformed police officers in the classroom to teach a highly structured drug prevention curriculum. The program targets students in their last years of elementary school. The D.A.R.E. program is focused on this age group because it is assumed that these students are most receptive to antidrug messages and are entering the drug experimentation phase where intervention may be most beneficial. Officers teach the D.A.R.E. curriculum in one-hour sessions for 17 weeks. Teaching strategies include lectures, workbook exercises, question and answer sessions, audiovisual materials, and role-playing sessions. The strategies support the objective of D.A.R.E., to teach peer resistance skills by offering students several ways to say "no" to drugs. D.A.R.E. is a comprehensive program that includes a variety of teaching objectives including the effects and consequences of using alcohol, marijuana, and other drugs; media influences and advertising techniques for tobacco and alcohol; and developing assertiveness skills and strategies for resisting peer pressure to use drugs.

The results of studies evaluating the effects of D.A.R.E. programs do not show them to have a consistent or significant impact on students' drug use, however. Michele Harmon (1993) examined the effectiveness of a D.A.R.E. program in South Carolina and found that students in the D.A.R.E. group used alcohol less, had higher levels of belief in prosocial norms, reported less association with drug-using peers,



showed an increase in attitudes against substance use, and were more assertive. However, no significant effects were found for self-reported cigarette, tobacco, or marijuana use in the past year; frequency of any drug use in the past month; coping strategies, attitudes about police, school attachment and commitment, and rebellious behavior. Susan Ennett and her associates (Ennett, Tobler, Ringwalt, & Flewelling, 1994) conducted a meta-analysis of several D.A.R.E. program outcome evaluations representing six states and a Canadian province and found that the D.A.R.E. programs had very little effect. Except for reduced tobacco use, the effects of the D.A.R.E. programs were slight and not statistically significant. They noted that some features of D.A.R.E. may be more effective in school districts where the D.A.R.E. curricula for younger and older students are in place; and its impact on improved relations with the community, schools, and students may have important benefits. The results showing D.A.R.E.'s limited influence on adolescent drug use behavior contrasts with the popularity and prevalence of the program. Ennett et al. (1994) cautioned that proponents of the D.A.R.E. program may be overstating expectations that it will change adolescent drug use.

Dennis Rosenbaum and his associates (1994) evaluated the D.A.R.E. program in 12 urban and suburban schools in Illinois, involving 1,584 students. A matched group of 24 schools were selected for the study, 12 of which were randomly assigned to receive D.A.R.E., and 12 that served as controls for comparison. The D.A.R.E. program had no significant overall impact on students' use of alcohol or cigarettes about one year after completion of the program. The only significant effect of D.A.R.E. was on perceived media influences regarding the portrayal of beer drinking: more of the D.A.R.E. students' recognized the media's portrayal of beer drinking as desirable. The program had some effect on encouraging females to quit using alcohol but seemed to have the opposite effect for males. The failure of D.A.R.E. to produce any measurable differences in students' attitudes and use of drugs raises questions about the commitment of time and funds to D.A.R.E. programs. Rosenbaum et al. suggested that more attention should be given in drug prevention programs to changing students' inaccurate perceptions about their peers' supposed approval and use of drugs. There *has* been an overall decline in the prevalence of drug use among U.S. students; and this raises the question of whether factors other than school-based drug prevention programs are responsible for the decline, or whether the evaluation measures are not precise enough to detect the effectiveness of the programs (Rosenbaum et al., 1994). It is possible that the decline in drug use may be due to the current emphases on the health risks of drug use, declining social acceptance, and the fact that youth are getting these messages from multiple sources, including the media, parents, family members, and their peers. A review of D.A.R.E. programs also led Denise Gottfredson (2001) to conclude that they do not work to reduce substance use. She suggested that the program's content, teaching methods, and use of uniformed police officers rather than teachers might explain the weak evaluations; and added that the D.A.R.E. curriculum is unlikely to reduce substance use without instruction that is more focused on social competency development.

D.A.R.E. officers and schools have made well-intentioned efforts to prevent drug abuse among youth, but research does not clearly show long-term positive results for

the programs. D.A.R.E. programs nevertheless are widely supported by educators, by parents, and by police departments that sponsor the officers who conduct the courses. The programs do have the potential for providing early drug education and awareness for young people; they also serve the function of improving relations with children and youth and are regarded as an important community policing component of law enforcement agencies. For these reasons, there has been considerable incentive for developing a new program. The new D.A.R.E. program is designed to keep students away from high risk behaviors, and it focuses on teaching life skills and resistance to drug use. New components of the revised program include new leadership, increased research activities to maintain program effectiveness, and science-based curricular components (Perin, 2008). The new program has a revised training model and instructional methodology, and 10 lessons with a selection of enhancement lessons. The lessons are now interactive versus a lecture format, and the focus is on applying the D.A.R.E. decision-making model to real-life situations. The new D.A.R.E. has also revised the original program to place more emphasis on the high-risk group of seventh and ninth graders. Initial reports on the new D.A.R.E. program indicate that the new curriculum is having a positive effect on participants' normative beliefs and refusal skills regarding drug use and on students' awareness of the consequences related to substance use (Carnevale Associates, 2005). Carter (1995) has noted that integrating community policing with D.A.R.E. programs can better serve all citizens because both initiatives are intended to establish effective communication links with the community. D.A.R.E. supports the philosophy of community policing as a law enforcement initiative that is designed to respond to changing social problems and community demands.

*School Resource Officers.* Many school administrators have employed police officers full-time or part-time during school hours. The practice is more common in inner-city urban schools or in schools that have experienced an increase in juvenile crime activity. The origin of police–school liaison officers has been traced to Liverpool, England, in 1951. The concept was soon introduced to the United States as the Flint, Michigan, school district hired police officers in 1958; schools in British Columbia, Canada, began placing police–school liaison officers in many schools in 1972 (LaLonde, 1995). School liaison officers in Canada are not armed, and place more emphasis on the crime prevention and educational role than on law enforcement and patrol functions. School liaison officers may:

- Counsel, advise, and talk informally with students
- Teach classes on alcohol and drug use prevention
- Advise school personnel and students on security precautions
- Offer safety and crime prevention education to students, staff, and parents
- Work to improve the safety and security of the school
- Gain students' trust and be aware of bullying behavior, harassment, alcohol and drug use, and gang activities
- Investigate, document, and record critical incidents
- Serve as a liaison between the school and the criminal justice system (see LaLonde, 1995).

School police officers in the United States fulfill all of the above roles, but they are now usually called School Resource Officers (SROs). The Omnibus Crime Control and Safe Streets Act of 1968 (Part Q, Title I) defines the SRO as “a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with school and community-based organizations.” In contrast with officers in Canada, SROs in the United States generally focus on traditional police functions and are usually armed, although not all officers may be in uniform. They patrol school grounds, parking lots, hallways, stairways, and bathrooms; check student identification; handle trespassers, class cutters, and truants; investigate criminal complaints; handle disruptive students; and prevent disturbances at after-school activities (Blauvelt, 1990). Police assigned to schools also provide services beyond traditional law enforcement functions. They are available to counsel students and faculty on crime and security issues; they also improve school safety and prevent crime through educational programs. Experts have recommended that school administrators should carefully assess the frequency and seriousness of crime and disruption in their schools before determining whether to hire police or security professionals (Blauvelt, 1990). School administrators and police officials generally develop mutually agreeable policies for the specific duties and responsibilities of the officers. Larger metropolitan schools districts have developed an independent school district police force (Dorn, 2004). Regardless of the exact structure of the SRO program, the important factor is the selection of highly qualified officers and proper training for working in schools. The U.S. Department of Justice funded \$68 million that would be awarded through the Office of Community Oriented Policing Services (COPS) to hire and train 599 SROs in 289 communities throughout the nation (Girouard, 2001). The special funding is in recognition that the SRO’s multifaceted role as law enforcement officer, counselor, teachers, and liaison between law enforcement, schools, families, and the community requires training beyond that traditionally offered in police academies (Girouard, 2001).

School resource officers have been effective in helping to control disciplinary problems and school crime. A study comparing incidents before and after the placement of officers in schools showed a significant reduction in the number of crimes and disciplinary infractions and in suspensions related to such incidents (Johnson, 1999). Studies have found that SROs reduce the time and effort that school administrators and teachers spend addressing illegal and disruptive behavior; they support educational objectives through classroom presentations (Atkinson, 2001); they counsel students on behavioral and attitudinal issues relating to school security and delinquency prevention (Benigni, 2004); and they help provide a safe environment in public schools (May, Fessel, & Means, 2004). SROs are instrumental in helping to reduce the number of crime incidents in the neighborhood around schools, and during nonschool hours. They have been able to obtain valuable information through their communication with students that has helped in the investigation of crimes in the community. The most effective programs emphasize close working relationships between police, school staff, and students; and clear communication regarding the police role, policies, and actions to be taken in crime incidents. SRO programs are another law enforcement strategy for improving juvenile and police relations through

better understanding of police roles and functions. Funding provided by the Community Oriented Policing Services (COPS) Office has supported the development of several School Resource Officer (SRO) programs throughout the United States (Office of Community Oriented Policing Services, 2003).

## POLICY AND PRACTICE 6.2

## FACTORS THAT INFLUENCE PUBLIC OPINION OF THE POLICE

The National Institute of Justice (NIJ) conducted a study in an attempt to answer what contributing factors influence public opinion on police. The survey, administered to Los Angeles residents in 2003, revealed a number of important factors. The study reported that police can improve public opinion and increase residents' approval of their job performance by

- Increasing their informal contacts with citizens
- Participating in community meetings
- Increasing officers' visibility in neighborhoods
- Talking with citizens

The survey also revealed that

- Residents' perception of the level of crime and disorder in their neighborhood was a significant factor shaping their opinion of the police.
- Residents with informal police contacts had more positive perceptions than residents with formal contacts.
- Residents' opinion of police performance did not vary by race or ethnicity in disorderly neighborhoods.
- Media [television and print news] did not affect residents' approval of police job performance or their perception of officers' demeanor.

**SOURCE:** Maxson, C., Hennigan, K., & Sloane, D. C. (2003). *Factors that influence public opinion of the police*. Washington, DC: U.S. Department of Justice. Retrieved September 4, 2008, from <http://www.ncjrs.gov/pdffiles1/nij/197925.pdf>.

### Discussion Questions

1. How do the residents of your city view their police department? How do the young people in your city schools view the police department?
2. What have the police in your city done to improve the local opinion of police?
3. What have the police in your city done in local schools that might influence students' opinion of police?

*Curfew Laws.* In contrast to D.A.R.E. and School Resource Officer programs that generally help to enhance police officers' relations with juveniles, the enforcement of curfew violations tends to aggravate the relationship. Curfew laws have been challenged on constitutional grounds, but the courts have generally upheld them as a tool in supporting parental monitoring of children and of delinquency prevention (Hemmens & Bennett, 1999). Many cities have implemented curfew laws in an effort to get children and youth off the streets at night, reduce their opportunities to get into trouble, and therefore prevent delinquency. Curfew laws generally apply only to youth under the age of 16, and the hours during which youth are required to be off the streets may vary according to the age of the youth (the limit may be 10:00 p.m. for those under 14, and 11:00 or midnight for youth aged 15 or 16, for example). Violation of curfew laws is a status offense, illegal only for those of juvenile age, and not punishable by referral to juvenile court. Police responses to curfew violations vary, but may include a warning to get home, telephoning the parents, delivering the youth to their home in a patrol car, or bringing the youth to a shelter, where parents are asked to come to pick them up. Evidence of the effectiveness of curfew laws varies, with some researchers claiming that juvenile crime is reduced (McDowall, Loftin, & Wiersema, 2000); while others found no evidence of crime reduction that could be explained by the curfew (Reynolds, Seydlitz, & Jenkins, 2000). Curfew laws may have little effect on juvenile crime because there is evidence that a significant proportion of juvenile crimes occur immediately after school hours between 3:00 and 6:00 p.m. (Sickmund, Snyder, & Poe-Yamagata, 1997). Some cities have therefore attempted to enforce day-time, after-school curfews, but these present countless problems in intervening with youth who are not or would not engage in criminal activity (Bannister, Carter, & Schafer, 2001).

Police officer responsibilities under D.A.R.E., as School Resource Officers, and enforcing curfew violations fall under a service and order maintenance role more than law enforcement. Under a community policing philosophy, however, these roles are equal to that of the law enforcement role in terms of their potential for problem solving and improving police–community relations. Other juvenile problems that require the special roles of police include truancy, gang activity, and firearm possession and violations. These problems involve police officers in challenging demands for combining their order maintenance and law enforcement roles on a regular basis in cities throughout the country.

### **POLICY AND PRACTICE 6.3    OPERATION LINEBACKER**

Juvenile offenses and status offenses remain a problem in many major cities throughout the nation. To combat such problems in Fort Wayne, Indiana, the Fort Wayne Police Department (FWPD) developed a juvenile interdiction sweeps program, nicknamed Operation Linebacker. Coinciding with a 1998 spring break, Fort Wayne community schools and the FWPD initiated this program with four goals in mind: (1) to reduce

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gang violence, (2) to curb vandalism, (3) to decrease juvenile criminal activity, and (4) to act as an ongoing deterrent during the spring and summer months. To accomplish these goals, the FWPD targeted status crimes such as alcohol-related offenses committed by individuals under the age of 21, underage possession of tobacco products, and curfew violations.

Prior to the first Operation Linebacker sweep, the FWPD held a public meeting to explain the concepts of the program. Concerned citizens, parents, and other interested parties attended the meeting and obtained general information about the operation. Specific dates or times of the sweeps were kept confidential, so as to not let juvenile offenders know the dates or times of sweeps. For two consecutive weekends teams patrolled for juvenile crime. The patrols conducted the first weekend sweeps from 7 p.m. to 3 a.m. and the following weekend from 9 p.m. to 5 a.m. During these first two sweeps, the teams arrested roughly 200 juveniles for various offenses.

The FWPD indicated that during and immediately following the sweeps, the calls for police service and the number of criminal incidents declined noticeably. Vandalism, gang crimes, and juvenile violence were reduced. Reports indicated that Operation Linebacker resulted in a dramatic and successful decrease in crime and an increase in neighborhood safety. The police department indicated that the program was implemented at little or no cost to the agencies and helped to combat crime and violence in Fort Wayne.

*SOURCE:* Girod, R. J. (1999). Operation linebacker: Using status offenses to reduce crimes in communities. *FBI law enforcement bulletin* 68(7), pp. 7–9. Retrieved April 25, 2009, from <http://www.fbi.gov/publications/leb/1999/jul99leb.pdf>.

### Discussion Questions

1. Are there juvenile problems similar to those in Fort Wayne, Indiana in your city, or a city near you?
2. Are there any programs similar to Operation Linebacker within your city, county, or region?
3. Imagine a program of similar law enforcement sweeps in your city during the late night hours. What kinds of juvenile behaviors and activities might they detect and reduce with sweeps like Operation Linebacker?

## Police Discretion

Police are permitted to exercise a great deal of discretion in their duties. That is, they have the ability to choose between different courses of action, depending on their particular assignment. Individual autonomy and discretion is not unique to the police role, but tends to get more attention than in other professions. Employees in many organizations are given some discretionary authority and flexibility in carrying out job functions. In most organizations, however, discretion among personnel at the lower levels is very limited; and flexibility in decision making expands as one moves farther

up organization levels. In police organizations the opposite is true. Discretionary authority among police is greater at the lowest levels of the organization, giving the line-level officer on patrol a considerable amount of discretion in carrying out and discharging his or her duties (Goldstein, 1977). In other organizations, the actions of line-level personnel are under close scrutiny. In police organizations, officers on patrol are out of sight of their superiors, and the low visibility means they are frequently beyond the commanding officers' control. Because of the considerable amount of discretion, much research and writing has been devoted to studying and understanding police discretion.

The nature of police discretion varies with the different police roles. In law enforcement situations, police must resolve whether a crime occurred and whether there is sufficient evidence to justify stopping a suspect for questioning, taking the suspect into custody, or making an arrest. Officers receive extensive training in the *law enforcement* function, including thorough education on the legal statutes and the appropriate legal interventions they are authorized to make for law violations. *Order maintenance* situations leave more room for police discretion, as “public order” and “disorderly conduct” are not so clearly defined. It is difficult or even impossible to determine, for example, whether a loud exchange of words on the street, in a public gathering, or in a home amounts to a violation of the “public order.” It may depend on the context and circumstances of the verbal exchange. Police decisions and discretion in the *service function* are equally difficult. The police role in service situations has generally not been discussed in police training manuals, or in books and research articles on policing (Moore, 1992). Many police regard calls for service, such as rendering first aid or helping a stranded motorist, as a waste of time and interference with the real job of policing. Some police would maintain that calls for service can be better handled by other agencies and individuals.

A number of arguments have been made for reevaluating the negative attitude toward the service function of police: (a) police response to requests for service might result in more effective law enforcement; (b) response to such calls may prevent a crime later; (c) response to service calls helps establish a positive community presence; and (d) response to service calls helps enhance the flow of information from community sources and aids in crime detection and prevention (Moore, 1992). The emergence of community policing has diminished to a great extent some of the earlier sense of frustration and resistance of police officers in fulfilling service functions. Community policing includes emphases on police–community relations, citizen input, team policing, crime problem solving, and crime prevention (Cordner, 2005). With the emergence of community policing, officers have come to accept more readily that order maintenance and service functions are important functions of law enforcement. Police agencies that have adopted a community policing perspective accept and recognize that all three functions are equally important in carrying out effective police operations.

*Police Discretion and Juvenile Offenders.* Police can stop, question, and arrest juveniles in every situation that applies to adults. Juveniles can be arrested for committing a

crime (misdemeanor or felony); for escaping and running away from a correctional facility; or for violating a court order, probation, or parole. Unlike adults, juveniles can also be taken into custody by police for status offenses such as truancy, incorrigibility, and running away from home. “Status offenses” are not crimes as such, but are considered violations of the law based on the “status” of the juvenile’s age as defined by the particular juvenile code of each state (generally under the age of 18, but in some states it is age 17 or 16). The inclusion of status offenses in juvenile codes is to protect juveniles from their bad judgment; to reinforce the authority of parents and legal guardians; and because it is believed (and there is evidence to show) that status offenders often become involved in delinquent behavior. Enforcement of status offenses is therefore a delinquency prevention tool of police.

The question of how much evidence a police officer needs before arresting a juvenile is not always clear. For crimes or delinquent acts, the standard used by most jurisdictions since the *Gault* decision (discussed in Chapter 7) is the same as for adults, which is *probable cause*. Some states, however, use a lesser standard of evidence for juvenile arrest, using terms such as “reasonable suspicion,” “reasonable grounds,” or “reasonable cause” (Sanborn & Salerno, 2005, p. 132). The lesser standards of evidence generally apply to status offenses or where the physical protection and “best interests” of the juvenile are being considered by the police officer. Based on the *Gault* decision, the higher standard of *probable cause* is necessary when the arrest is for a crime (or delinquent act) that is likely to result in court referral that may lead to institutional placement. The important point is that juveniles are subject to police intervention for a broader array of behaviors than are adults. This is often a point of contention for many juveniles and some parents, who may not be aware of or may disagree with the intent of laws pertaining to status offenses including curfew violations.

Police have considerable discretionary power in handling juvenile matters, ranging from reprimand and release, to transporting a juvenile to detention and referral to juvenile court. Discretion is important in police work, for the officer’s decision to intervene in any suspected law violation is the first stage in the juvenile justice process. Officers use their discretion in deciding whether or not to take official actions with offending juveniles or simply order them to “move on,” “break it up,” or “get on home.” Most police contact with juveniles is nonofficial; police make an arrest and take juveniles into custody in only a small percentage of cases. In a study of police responses with juveniles in two cities, Myers (2002) found that police took juveniles into custody in only 13% of their encounters with juveniles. Most of the police–juvenile encounters involved noncriminal matters, such as public disorder (22%), traffic offense (14%), nonviolent conflicts (9%), and suspicious situations (7%); and about one fourth (27%) involved violent or nonviolent crimes (Myers, 2002, p. 123). In 2003, 20% of juvenile arrests were handled within law enforcement agencies, 71% were referred to juvenile court, and 7% were referred directly to criminal court. The remaining 2% were referred to a welfare agency or to another police agency. The proportion of arrests referred to juvenile court increased from 1980 to 2003, from 58% to 71% (Snyder & Sickmund, 2006, p. 152).



*Factors That Affect the Decision to Arrest.* We noted above that “probable cause” is generally required by police to meet legal grounds for stopping a person for questioning, taking into custody, or making an arrest when there is clear evidence that the person is a suspect in a crime. Examples of *legal factors* that may affect the arrest decision include the following:

- *Factors related to the offense:* type of offense, seriousness, whether gang related, use of weapon, amount of evidence to prove guilt in court.
- *Factors related to the juvenile’s record:* previous police contact(s), status offense(s), delinquent acts, whether on probation or parole, or escaped from placement.

Police discretion has been criticized because some believe that police abuse their broad discretionary powers, and that they base their decisions on *extralegal factors* other than the offense. Extralegal factors are those that have nothing directly to do with the offense for which the juvenile suspect is being questioned, taken into custody, or arrested. Several kinds of extralegal factors have been known to influence police officers’ decision to make an arrest and referral to juvenile court (see Sanborn & Salerno, 2005, pp. 134–139). Examples of extralegal factors that may affect the arrest decision include the following:

- *Factors related to the offender:* age, gender, race, social class, attitude, demeanor, condition (drunk or high on drugs), belligerence, refusal to answer questions, or resisting arrest.
- *Factors related to complainant or victim:* able to identify the perpetrator, desire to prosecute, prominence in the community, social class, age, gender, or race.
- *Factors related to the neighborhood or location of crime:* crime level, police patrol level, socioeconomic level, disorganized or well-structured, offender is a community member, bystanders present (especially if hostile).
- *Factors related to parent(s) or home:* belligerent parental attitude, parent not home or not located, parents or home present a problem, parent fails or refuses to appear at police station.
- *Factors related to the officer:* age, gender, race, class status, training and experience, view of juvenile system and diversion, previous contact with the accused, and officer’s workload (Sanborn & Salerno, 2005, pp. 135–139).

In summary, police decisions to arrest must be based on legal factors. Police discretion, however, does allow them *not* to make an arrest even when there are legal grounds to do so. They may exercise their option to use a lesser alternative (discussed below). Police are working in a “real-world” setting and their decisions are affected by their judgment and perceptions of the degree of risk and threat to public safety—and often by their personal judgments of the circumstances of the alleged crime. Police arrest decisions based on “legal” and “extralegal” factors often have differential effects, depending on the gender or the racial or ethnic group of the juvenile offender. Girls are less likely than boys to be arrested and referred to juvenile court, but they are often referred more than boys for status offenses such as running away or disobeying parents (Armstrong, 1977; Chesney-Lind, 1977). Researchers have reported differing results on the importance of race in police discretion. Some studies report few differences when controlling for offense seriousness and prior record. African Americans and

other minority youths seem to be involved in more frequent and serious offenses than whites, so it is difficult to determine whether they are singled out more by police for official action. There is some evidence of racial bias, however, as minority youths have often been targeted more by police for official intervention (Wolfgang, Figlio, & Sellin, 1972, p. 252). Some critics of police discretion also contend that lower-class youths are processed into the justice system for the same offenses for which middle- or upper-class juveniles are simply reprimanded and released to their parents. Police and juvenile officers justify this use of discretion on the basis that middle- and upper-class youth are more likely to be corrected without referral to the justice system because their parents have the resources to provide their children with the necessary supervision and corrective services. Merry Morash (1984) found that an older juvenile with a prior record who fits the image of a serious delinquent is more likely to be referred by police to the juvenile court. A juvenile's demeanor and attitude make a difference in a police officer's use of discretion. A youth who is polite and respectful is more likely to get off with a reprimand, while a negative and hostile attitude is likely to result in a court referral (Piliavin & Briar, 1964; Lundman, Sykes, & Clark, 1990).

### CASE IN POINT 6.1

#### ***Yarborough v. Alvarado* (2004)**

This case raises several questions. Should police treat juvenile suspects different from or the same as adult suspects when interrogating them about a crime? Are juveniles entitled to the Miranda warning? If so, under what circumstances and at what point does that warning apply to police interrogations of suspects? When deciding whether a suspect is "in custody" and therefore entitled to his Miranda warnings, must an officer consider the suspect's age and previous history with law enforcement?

Police interviewed Michael Alvarado, age 17, without his parents present at a police station about his involvement in a crime. Police had not arrested Alvarado, and did not give him a Miranda warning. During the interview, Alvarado confessed involvement in the crime. Based in part on these statements, Alvarado was convicted of second degree murder and attempted robbery. His appeals in the California courts and request for a writ of habeas corpus in federal district court in California were unsuccessful. The Ninth Circuit Court of Appeals reversed the criminal court decision. The Appellate Court recognized the "in custody" standard to be whether a reasonable person would feel free to end interrogation, and held that a juvenile is more likely to feel that he is in custody. Because Alvarado was "in custody," the Fifth Amendment required that his rights under *Miranda v. Arizona* (1966) be read to him.

In a 5-to-4 decision written by Justice Anthony Kennedy, the U.S. Supreme Court ruled that the purpose of the Court's *Miranda* decision was to provide an objective rule readily understandable by police officers. When interrogating a suspect who is "in custody," an officer must first read the suspect his Miranda rights. Determining whether a suspect is actually in custody has always been based on objective criteria like whether he had been brought to the police station by police or had come of his own accord. Requiring officers to consider individual characteristics of a suspect when determining whether he is "in custody," such as the suspect's age or previous history with law enforcement, would make the

test a subjective one that would be more difficult for officers to understand and abide by. Justice Kennedy wrote that the *Miranda* decision “states an objective rule designed to give clear guidance to the police, while consideration of a suspect’s individual characteristics—including his age—could be viewed as creating subjective inquiry.”

SOURCE: *Yarborough v. Alvarado* 541 U.S. 652 (2004).

### Discussion Questions

1. What is your understanding of the “Miranda warning”? What does it state?
2. Michael Alvarado was being questioned by police at a police station but was not “Mirandized” because police had not arrested him. Did the police have him in custody? What did the Court say about his being “in custody”?
3. Do you believe police should question a juvenile without his or her parent(s) and or legal guardian or an attorney being present? Is there a difference in police questioning a juvenile or an adult suspect? Explain your answer.
4. What is the majority opinion of the Court regarding whether police should treat juveniles any different from adults regarding the “Miranda warning” and interrogations?

## Race as a Factor in Juvenile Arrests

The issue of race is a concern in the criminal and juvenile justice systems. It is an undisputed fact that racial and ethnic minorities (especially African Americans) are disproportionately represented at each stage of the system: in police arrests, in jails and detention centers, in courts, and in correctional facilities. Research studies are mixed, however, as to whether that disproportionate representation is a result of racial bias in police arrest, prosecutors’ decisions, and judicial sentencing (Conley, 1994; Wordes, Bynum, & Corley, 1994). African American youth are overrepresented in juvenile arrests when compared to their proportion of the population (i.e., **racial disparity**). Black youth, who accounted for 17% of the juvenile population in 2005, were involved in a disproportionate number of juvenile arrests for robbery (68%), murder (54%), motor vehicle theft (43%), and aggravated assault (42%) (Snyder, 2007, p. 9).

The question is whether the overrepresentation of black juveniles in police arrest rates is due to racial bias or to the greater involvement of black youth in violent crimes. Violent crimes are more likely to be reported, detected, and result in a police arrest. To answer this question, Pope and Snyder (2003) analyzed National Incident-Based Reporting System (NIBRS) data from law enforcement agencies in 17 states, with a large sample of 102,905 juvenile offenders. They found no significant effects of race in police arrest decisions, and they were able to identify some characteristics that

SOURCE: © Barry Lewis/Corbis.



**Photo 6.2** Police arrest a suspected juvenile offender for drug dealing.

differentiated the crimes of white and nonwhite juvenile offenders. Compared to nonwhites, white juvenile offenders were:

- Less likely to have multiple victims
- More likely to act alone
- More likely to commit crimes indoors
- Less likely to possess a nonpersonal weapon (firearm, knife, or club)
- Less likely to offend against adults
- Less likely to offend against members of another race
- More likely to commit crimes against family members; equally likely to commit crimes against acquaintances; but less likely to commit crimes against strangers (Pope & Snyder, 2003, p. 4)

The findings revealed that the crime incident characteristics that increased the odds of arrest for violent crimes were largely the same for white and nonwhite offenders, with one important exception: victim's race was correlated with arrest probability for nonwhite juvenile offenders, but *not* for white offenders. A nonwhite juvenile offender therefore was more likely to be arrested if the victim was white than if the victim was nonwhite. More research must be conducted on police arrest patterns, using larger samples that are more representative of the nation. Arrest patterns may differ among states, and within regions of states and the nation.

Race and ethnic background may be a factor in police decisions to arrest juvenile offenders, but based on research evidence it is clear that several other factors also

influence officers' decisions. In summary, the factors noted above that may affect police officers' decisions to arrest a juvenile or to take less formal actions without court referral include factors relating to the following:

- Offense (seriousness, type, time of day, gang related, use of weapon)
- Youth's record or status (prior police contact or arrest, school record, probation status)
- Offender (age, gender, race, social class, demeanor)
- Complainant (present at the scene, desire to prosecute, age, gender, and race)
- Location of the offense (type of neighborhood, low- or high-crime area)
- Parents (attitude, present at the scene or at home, concern and ability to supervise)
- Officer (training and experience, view of justice system and diversion, workload)
- Police department (enforcement policies, community policing, or problem-solving emphasis) (Sanborn & Salerno, 2005, pp. 137–139)

Police discretion is necessary, and the juvenile justice system could not function without some use of discretion. Juvenile courts in urban areas have a backlog of cases, probation officers' caseloads are too high for them to provide adequate supervision, and correctional facilities are becoming overcrowded. The system must concentrate on those juvenile offenders who pose the greatest risk and need official intervention to prevent further offending.

#### POLICY AND PRACTICE 6.4

#### CRIME ALERT BULLETINS

The Minneapolis Police Department (MPD) issues Crime Alerts via the Web when MPD notices a crime pattern. MPD notes that the crime pattern may be specific to geographic area, a time-period, or specific method of crime. At times, MPD issues Attention Residents Flyers to the public for less serious, yet important crime prevention information. Crime Alerts and Attention Residents Flyers aim to provide accurate information, increase the chance for arrests, prevent future crimes, and reduce fear. In addition, MPD conducts free Personal Safety Workshops. The key part of the notices and workshops is crime prevention information, and providing simple steps that persons can take to reduce victimization. The following is an abbreviated posting of a Crime Alert issued by the MPD.

Minneapolis Police are investigating nine robberies of persons that have occurred since September 4 in the area between East 42nd Street and East 56th Street, from Portland Avenue to Elliot Avenue. The neighborhoods within the geographical area are Field, Regina, Northrop, Hale, and Diamond Lake. The two most recent robberies occurred about 2 hours apart on Tuesday, September 23. About 6:00 p.m., as a resident approached his home on the 4900 block of Park Ave., a young male confronted him with a handgun. The robber took his briefcase, demanded his wallet, and then fled on foot. The victim described him as a thin black male, 5'8" to 5'10," dark complexion, and a narrow face with some chin whiskers. He wore a black, lightweight winter "hoodie" jacket with the hood up. At 7:45 p.m., a resident was walking on the south bike path by Minnehaha Creek east of 51st Street and Chicago Avenue. A male with a handgun approached him from behind and demanded his wallet. The resident's description of the robber was close to that in the earlier robbery except he wore a gray hoodie and dark pants. Most of the other robberies

*(Continued)*

(Continued)

occurred between 4:45 p.m. and 11:30 p.m. Suspects threatened victims with handguns in several of the robberies, but no one was injured. Suspect information was varied. Third Precinct officers, investigators from MPD's citywide Robbery and Juvenile units, and the Park Police are conducting intense investigations.

**SOURCE:** Minneapolis Police Department. (2008, September 26). Robbers strike in Field, Regina, Northrop, Hale & Diamond Lake. *Crime Alert Bulletin*. City of Minneapolis, Minnesota. Retrieved October 17, 2008, from <http://www.ci.minneapolis.mn.us/police/crimealert/C1-2434167.pdf>.

### Discussion Questions

1. Access other recent crime alerts at [www.ci.minneapolis.mn.us/police/crimealert/](http://www.ci.minneapolis.mn.us/police/crimealert/). Note the race, gender, and age of the alleged offenders. Do you see any patterns in suspected perpetrators, or in the reported offenses?
2. Do an Internet search for similar "police alerts" in other cities. How are they similar to, or different from, those of the Minneapolis police?
3. In addition to alerting the public to potential crimes, is it possible that police departments may get assistance from the community in helping to detect and reduce crimes in this way? Explain.
4. Do "crime alerts" increase public fear? Or, might crime alerts increase public support and police satisfaction? Explain your response.

## Alternatives to Police Arrest and Custody

A police officer may refer a minor offender to a youth services bureau, a community agency such as a Big Brother or Big Sister program, or a similar delinquency prevention program. In the majority of cases where police have reason to believe that a juvenile has committed an offense, the youth will be taken to the police department juvenile bureau for questioning, may be fingerprinted and photographed, and then taken to the intake unit of the juvenile probation department where a decision will be made to detain the youth or release to the parents.

- *Questioning, Warning, and Release in the Community.* The least severe sanction is when an officer questions a youth for a possible minor offense, and gives a warning and reprimand on the street without taking formal actions.

- *Station Adjustment.* Police may take a youth into custody and to the station, record the alleged minor offense and actions taken, give the youth an official reprimand, and release the youth to the parents. The parents are generally contacted first and may be present when the youth is reprimanded. In smaller cities the youth may be placed under police supervision for a short period of time.

- *Referral to a Diversion Agency.* Police may release and refer a juvenile to a youth service bureau (YSB), Big Brother/Big Sister program, runaway center, or a mental health agency. Diverting minor offenders from the juvenile justice system to a YSB that

provides counseling and social services is considered preferable for many first-time offenders and troubled youth.

- *Issuing a Citation and Referring to Juvenile Court.* The police officer can issue a citation and refer the youth to juvenile court. The intake probation officer accepts the referral, contacts the parents if the police have not already done so, and releases the youth to the parents on the condition that they will report to the court when ordered to do so. The intake officer then determines whether a formal delinquency petition should be filed. In some states the decision is made by the prosecuting attorney assigned to the juvenile court.

- *Taking to a Detention Center or Shelter Home.* The police officer can issue a citation, refer the youth to the juvenile court, and take him or her to a detention center. The intake officer at the detention center then decides whether to hold the juvenile or release him or her to the parents. Juveniles are detained when they are considered dangerous, when there is a lack of parental supervision, or when there is a high probability that they will not report to the court when ordered to do so. If a detention center is felt to be too restrictive, and an appropriate parent or foster home is not available, the youth may be placed in a shelter care facility, which might be either a private home or a group home. Most states now provide for a detention hearing within a day after the youth's referral in which a judge or referee must determine whether there is sufficient reason to continue to detain the juvenile. In cities without a separate juvenile detention center, juveniles who cannot be released to their parents are confined in a separate section of the county jail, or may be transported to a juvenile facility in another county. There has been a national effort to remove juveniles from adult jails. Removing juveniles from their homes and detaining them in juvenile centers is considered a last resort.

In Chapter 8, we discuss the topics of Juvenile Court Intake, assessment, and the temporary detention of juvenile arrestees (after a discussion of Due Process and Juveniles' Rights next, in Chapter 7).

## SUMMARY

- The police role with juvenile offenders is especially important because young persons' views and attitudes toward law enforcement are shaped by their first encounter with a police officer.
- Police face special challenges when dealing with juvenile offenders, because they must enforce noncriminal (status) offenses in addition to criminal violations; because of youths' immaturity; and because of their susceptibility to group influence.
- Police officers actually perform three roles in fulfilling their law enforcement responsibilities: law enforcement, order maintenance, and service functions.
- Community policing is a recent development in law enforcement that aims to involve the citizens and community in crime prevention; police work together with the community in problem solving to reduce crime.
- Community policing initiatives focused on children and youth include programs such as D.A.R.E. and School Resource Officers.
- Police discretion is a normal and necessary part of the law enforcement decision-making process that is often influenced by extralegal factors; it may result in disproportionate processing of racial and ethnic minorities.

- Research findings on police discretion show mixed results as to whether disproportionate representation of minorities is due to racial discrimination in decision making, or to the greater involvement of minorities in offenses that are more likely to result in court processing and sentencing.
- Police officers have a number of alternatives to arrest and custody of offenders, and using these alternatives appropriately benefits the offender, the community, and the justice system.

## KEY TERMS

Status offenses	Service function
Law enforcement role	Racial disparity
Order maintenance	

## DISCUSSION QUESTIONS

1. Can you think of any experiences as a teenager when you or any of your friends had any encounters with a police officer that were negative and/or created poor relations with the police? Give an example.
2. Do you think police should spend much of their time responding to status offenses of juveniles? Explain why, or why not. Do you think there is any relationship between status offenses and more serious juvenile crime?
3. Can you think of any examples when you, your friends or family, or any neighbors were affected or benefited by the police roles of order maintenance and service functions? Give an example.
4. Have you had a personal experience with a D.A.R.E. program, or with a School Resource Officer? Explain the effects of that program, from your perspective.
5. Have you or an acquaintance ever experienced police discretion, such as getting a warning rather than a citation or arrest; or getting a citation or arrest when you believe a warning was more appropriate?

## WEB RESOURCES

The following Web sites provide information and discussion on the role of police in the juvenile justice system:

Juvenile offenders and victims: 2006 national report: <http://ojjdp.ncjrs.gov/ojstatbb/nr2006/downloads/NR2006.pdf>

Community-oriented policing: <http://www.cops.usdoj.gov/>

D.A.R.E. Web site: <http://www.dare.com/home/default.asp>

National Association of School Resource Officers: <http://www.nasro.org/home.asp>

Crime Alert Bulletins (City of Minneapolis, Minnesota: <http://www.ci.minneapolis.mn.us/police/crimealert/>