Whether the costs of more regulation are justified depends on the extent to which private security today is inefficient, corrupt, and disregarding of authority, as well as on the extent to which regulation could significantly reduce these alleged problems. More research is required in order to determine whether the benefits would be worth the costs.

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See also both articles under Employee Theft; Security, Industrial; both articles under Shoplifting.

BIBLIOGRAPHY


6.

HANDLING OF JUVENILES

The police role and juvenile justice. The municipal police in the United States developed historically as a formal system of social control in response to crises of public order. Their evolution since the mid-nineteenth century is part of the more general process of the growth of government and the absorption of social functions by the state. The police appear primarily in social settings in which people’s conflicts and problems are not remediable by such traditional forms of authority and control as family, school, church, community, and custom, and in which social life is conditioned by large, dense, and heterogeneous populations, widespread inequality, class struggle, and alienating and impersonal relationships (Black, p. 40). As “street corner” agents of a coercive legal order, the police are called upon and authorized to intervene in a wide variety of situations in which force may have to be used in their provisional management and control (Rumbaut and Bittner). Crime control is but one of the many such tasks in the coercive regulation of urban life that have devolved upon the police and defined their complex and adversarial role in society. Another is the control of juveniles in public places. The conduct of juveniles in the public spaces of the city is both patterned and heavily proscribed, and the police are expected to keep a wary street watch for juvenile trouble. Although the policing of juveniles sometimes consists of “proactive” (policie-initiated) surveillance and aggressive preventive patrol of locations where youths congregate, it is preponderantly a “reactive” (citizen-initiated) peacekeeping function mobilized by adult complainants who regard the public behavior of young people as beyond the reach of parental discipline or other primary control (Bittner, pp. 74–85).

The handling of juveniles poses a special case of a dilemma that is at the heart of the police role. Contrary to the popular notion of policing as a ministerial function of government consisting of the nondiscretionary enforcement of the substantive criminal law, police work instead involves the exercise of enormous discretion in maintaining public order (the definition of which is itself problematic) while remaining accountable to the rule of law, especially as provided by procedural laws of search, proof, and arrest (Skolnick). Police discretion is especially broad in dealings with juveniles, and in most United States jurisdictions, procedural safeguards attending an arrest have historically applied with less force to juveniles than to adult suspects (U.S. Department of Justice, pp. 41–55). The dilemma is complicated for the police officer by a structure of situational, organizational, and ideological pressures and demands, including conflicting public expectations of the police, all of which shape police discretion and comprise both the internal and external environments of police work. In any case, because
the police largely screen and control the formal entry of juveniles into the legal system (persons under age eighteen, as legally defined in most states), the discretionary judgments made by police on the streets and in police stations are of decisive importance in determining the course of juvenile justice.

**Historical context.** The policing of juveniles needs to be understood not only in the historical context that gave rise to police agencies, but particularly in the context of the changing social status of young people in industrial societies. A growing literature has pointed to the modern creation of adolescent roles in an increasingly age-graded society, marked by longer periods of financial and legal dependence, the strict age segregation of juveniles from adult roles, and the consequent contemporary “class struggle” between young and old (Empey, 1978, 1979). Although its origins have been traced back to much earlier influences, this transformation has been accelerated in the United States since the nineteenth century by a complex interplay of social, economic, and political changes. Among the more salient of these have been demographic changes in the age structure of society since the industrial revolution, mass immigration, rapid urbanization and capitalist economic development, child raising in closed nuclear families, the exclusion of young people from a contracting labor market, the passage of child-labor laws, the prolongation of compulsory education, high teenage unemployment and delinquency, and the extension of formal social controls over juvenile behavior.

By the turn of the twentieth century, a “child saving” reform movement had succeeded in establishing a separate system of justice for young people with the enactment of the first juvenile court (Platt). These changes came about, society became preoccupied with an image of adolescents as immature, impulsive, and irresponsible (Zimring). The low social status of juveniles reflects their deepened dependence and lack of employment and income in a society in which independence is based on work and wealth (Bittner, pp. 88–89). This in turn has been interpreted as one of the structural sources of high crime rates among adolescents in the industrialized nations (Greenberg).

Official United States data on police arrests indicate that, excluding status offenses, a disproportionate amount of crime is committed by juveniles. These data also provide a rough measure of the reported demand for and level of police control of juvenile deviance. Persons between thirteen and eighteen years of age, who constituted less than one-fifth of the population, accounted for nearly half of the police arrests for the seven Federal Bureau of Investigation Index crimes during the 1960s and early 1970s. The age distribution of involvement in crime, as measured by these data, forms a curve that has shown a stable pattern during the twentieth century. The arrest rate for *index property crimes* (burglary, larceny, and auto theft) is very low prior to age ten, rises sharply during the teenage years, and peaks at age sixteen (from 1965 to 1972 the peak age dropped to age fifteen). It then falls rapidly and continues to decline gradually with advancing age. The arrest rate for *index violent crimes* (murder, forcible rape, robbery, and aggravated assault) shows a similar distribution, except that it peaks at age eighteen and declines less rapidly (FBI, 1964–1981). Although this pattern has remained stable over time, from 1960 to 1975 the total number of police arrests of juveniles for index property crimes increased by 132 percent, and for violent crimes by 293 percent (Empey, 1978, p. 128). Such increases in reported juvenile crimes alarmed the public and made youth violence a political issue during this period.

In large part, these figures reflect the complex interrelatedness of a rapid expansion of the teenage population (resulting from the prolonged post–World War II “baby boom” of 1946 to 1960) and a period of relative affluence and rising expectations, war, youth revolt and counterculture, delegitimation of authority, and social and political upheaval. As cohort studies have shown, juvenile recidivists account for the majority of index crimes—about nine times as many as those committed by one-time offenders—suggesting that most police arrests involve only a small minority of the total youth population (Empey, 1978, pp. 130–133). Further, the proportion of juvenile to adult arrests for index property crimes peaked in 1966, when persons under eighteen accounted for 56.4 percent of all such arrests, and thereafter declined steadily. The proportion of juvenile to adult arrests for index violent crimes peaked in 1975, when juveniles accounted for 23.1 percent of all such arrests, and it too then declined.

**Situational aspects.** Notwithstanding the degree to which the crime problem affects police-juvenile relations, the fact remains that most juvenile crime goes undetected and unreported to the police, and moreover, the bulk of police encounters with juveniles does not involve crime control but rather peacekeeping, or “order maintenance,” work (Bittner, p. 79; Wilson). The routine policing of juveniles is largely handled by uniformed patrol officers rather than juvenile officers, who typically become involved only after a patrol officer makes an arrest. Because these encoun-
ters occur in the field and outside formal review, much of what is publicly known about them is based on field studies by sociologists rather than on official information.

Research by Donald Black and Albert Reiss, later replicated with nearly identical results by Richard Lundman and others, found that most police-juvenile encounters are initiated by adult citizens. The ratio of reactive to proactive encounters varies with community standards of order and morality and with departmental policies, which may encourage, for example, aggressive traffic enforcement or field interrogations of "suspicious persons." Excluding traffic violations, the proportions of encounters mobilized by citizen complainants in the cities studied by these researchers ranged from 66 percent to 78 percent (Lundman, Sykes, and Clark, pp. 133-135). Less than one-tenth of all encounters involved alleged juvenile felonies, and in these cases black juveniles were involved more frequently than white juveniles; some two-thirds involved complaints of juvenile rowdiness. In addition, both studies found that only one encounter in seven (14 percent to 15 percent) ended in an arrest; six out of seven encounters (85 percent to 86 percent) were handled informally by the patrol officer and ended without an arrest. Put differently, "police diversion of juveniles from the juvenile justice system is a common practice" (Lundman et al., p. 138), and this happens well before a case ever reaches a juvenile officer for disposition.

As in other encounters with citizens, police-juvenile interactions are affected by the relative social status of the parties—based not only on age but also on sex, race, and class. Under such conditions of social inequality, the police (as symbols of community authority) expect to be deferred to by persons of subordinate status. Thus, relations between police and citizens are governed not merely by legal rules but also by situational norms of deference exchange and proper demeanor (Cicourel; Sykes and Clark). These rules and norms in turn influence the way in which police exercise discretion, including the decision to arrest.

The probability of arrest is higher for juveniles who are unusually arrogant or disrespectful—but also for those who are extremely deferential, an exaggerated demeanor that apparently arouses police suspicion (Black and Reiss; Lundman et al.). What is more, in situations where no evidence of an alleged offense is present, "the demeanor of the juvenile is the most important determinant of whether or not formal action is taken" (Lundman et al., p. 143). Where evidence is available, the main factor influencing the decision to arrest is the legal seriousness of the alleged offense. However, the presence and preferences of citizen complainants are additional elements influencing arrest decisions by police. The probability of arrest is greater in encounters in which both suspect and complainant are present than in those in which only a suspect is present; and it is significantly greater when complainants prefer an arrest to an informal disposition (Black, pp. 101-102; Lundman et al., p. 199). All of these exigencies affect national arrest rates: the police disproportionately arrest male, black, and lower-class juveniles for index crimes, although the data for 1960 to 1980 point to a steady increase in the proportion of females arrested for both violent and property crimes and to a gradual decrease in the proportion of black youths arrested for violent (but not for property) crimes.

The subordinate social status of juveniles and their economic dependence on adults are also generally reflected in the social control styles adopted by police in peacekeeping roles (Black, pp. 122, 152-155). When police are called by citizens to settle disputes involving juveniles, the cases almost always involve complaints by an adult against a juvenile (often in domestic settings), but rarely does a juvenile complain against an adult or another juvenile. In fact, juveniles lose nearly all disputes with adults and are likely to be chastised by police if they complain against older persons, particularly their parents; such a complaint is typically seen as an affront to authority. Black's study of dispute settlement by police observed that in conflicts between adults, the operational style of the police is mainly (54 percent) "conciliatory" and impersonal; but in disputes between adults and juveniles the status differences are far more unequal and the police are much less frequently (51 percent) conciliatory. Instead, juveniles are treated mostly (62 percent) in a "penal" and moralistic style—lectured, scolded, ordered about, and told how to behave—although relative to adults, police are less likely to arrest juveniles or to threaten them with arrest.

Such styles of social control are not wholly determined by the external situational features of police-juvenile encounters. There are also significant individual variations between police officers, attitudinally and behaviorally, in the ways they learn to exercise their discretion and authority—to respond defensively, as William Muir has put it, to the "paradoxes of coercive power" that confront each officer in handling recurrent street situations. Muir's research, for example, identified four general types of police approaches to "juvenile capers" and other situations in which force may need to be used: professional, reciprocating, enforce-
Each type represents a style of defensive response, and all but the first represent deformed varieties of discretionary police authority (Muir, pp. 126–147). A similar typology has been developed by Michael Brown (pp. 221–245), whose research specified four “operational styles” manifested by patrol officers while “working the street,” styles reflecting their tendency toward aggressiveness and selectivity in law enforcement: old-style crime fighter, clean-cut crime fighter, service, and professional. These styles suggest the diverse adaptations of officers not only to situational aspects of their role on the streets, but also to the organizational aspects of their job within police bureaucracies.

Organizational aspects. It was noted above that only a fraction of patrol contacts with juveniles result in arrests. Once a juvenile is taken into custody, the case is typically turned over to juvenile officers for pre-judicial screening and disposition. In police departments that have evolved such specialized juvenile units (usually those in larger cities), the work of these officers is regarded as investigative (but accorded lower status) and is located within the detective division of the police organizational structure. Police exercise wide discretion in determining the disposition of juvenile cases, ranging from release (usually to the parents) to referral to community service agencies or to juvenile or adult court. As with the patrol decision to arrest, police decisions to release or refer a juvenile taken into custody are influenced by a number of factors. These include the seriousness of the offense; the number and type of prior offenses; the family and school situation; and the age, sex, race, and demeanor of the youth (Black, pp. 23–28; Kenney and Pursuit, pp. 217–233).

Data on national trends in police disposition of juvenile cases are averaged and presented in Table 1. The police either release or refer the youth to juvenile court in more than 90 percent of cases; in the remaining cases, juveniles are referred to a welfare agency, to another police agency, or to a criminal or other adult court. The national data do not break down informal intradepartmental police handling into cases that lead to a reprimand and outright release, and cases that lead to “station adjustment” or conditional release involving a police effort to change the juvenile’s behavior (President’s Commission, pp. 12–28). The data also do not break down formal referrals to juvenile court into cases that involve detention and cases that do not. Nonetheless, the most remarkable change in United States police disposition patterns reflected in these data for the 1960s and 1970s is their increasing formalization. That is, the data show a proportionately decreasing resort to informal handling and release of the juvenile at the station house (from 46.9 percent in the mid-1960s to 37.4 percent in the late 1970s), and a proportional increase in formal handling and referrals to court (from 47.4 percent to 55.0 percent during this period), with the biggest shift occurring after 1975. This trend varies among jurisdictions but is most pronounced in the major urban centers (cities with more than 250,000 inhabitants), where by 1980 seven out of ten arrests were referred by police to the juvenile court (FBI, 1981, p. 253). During this two-decade period, moreover, the proportion of reported police referrals to welfare or youth-service agencies in the community has shown only a very slight increase.

These trends belie the recommendations of the President’s Commission on Law Enforcement and Administration of Justice and of subsequent commissions and standard-setting bodies, which have urged greater formal diversion of youths away from the juvenile justice system and toward community service agencies. It is possible that the trends reflect a hardening of public attitudes toward delinquency and the handling of juveniles, which in turn affect police discretionary practices and operational styles. In the main, however,
the trends reflect the impact of other changes in public policy on police handling of juveniles, notably the decriminalization and deinstitutionalization of status offenders in jurisdictions covering big cities. In California, for example, the passage of a 1977 law prohibiting secure detention of status offenders resulted in a very substantial drop in the number of youths arrested by police for such offenses (1976 Cal. Stat. ch. 1971). Nationwide, in fact, the 240,356 juveniles arrested in 1980 in the big cities (population over 250,000) was the lowest total reported since 1963, when 217,888 arrests were reported (FBI, 1981, p. 258; 1964, p. 93). The decrease in status offense arrests and the consequent increase in the proportion of juvenile arrests for more serious offenses (and thus of police referrals to juvenile court) are clearly reflected in the national arrest rates from 1971 to 1980. During this decade, status offense arrests for running away from home declined by 42.2 percent, and for curfew and loitering violations, by 45.5 percent. By contrast, during this same period juvenile arrests for index violent crimes increased by 28.4 percent, and for property crimes, by 4.7 percent (FBI, 1981, p. 194).

In general, the larger the city, the greater tends to be the reliance on formal police handling of juveniles. This relationship between urban characteristics and police discretion is only partly accounted for by the higher rates of serious juvenile crime and social conflict in the larger cities. More important in shaping police behavior are the size and bureaucratic structure of the police organizations that evolve in these large and heterogeneous urban areas, and the nature of police-community politics, as suggested by the comparative research of James Wilson and Michael Brown. The larger police departments, for example, have greater organizational resources, are more specialized and professionalized, have a greater degree of autonomy from the community, are more insulated from political pressures. They have less actual supervisory control over the discretion of officers and place greater reliance on impersonal administrative controls, such as greater efficiency norms and pressure to produce visible and quantifiable results, for example, arrests. Such departments develop what Wilson has called a “legalistic” style that is characterized by more formal and strict law enforcement, and that serves to blunt political conflict and public criticism over possible police favoritism or corruption.

The smaller police departments (in smaller and more homogeneous cities) have fewer organizational resources and less specialization and centralization; are more reliant on public support for their legitimacy and hence more beholden to dominant community and political pressures; have a more informal awareness of, and greater actual administrative control over, officers’ discretion; and are less reliant on written records or production norms for performance evaluation. Such departments tend toward a more lenient and “familial” view of juvenile offenders, making fewer arrests and handling juvenile cases more informally, emphasizing order maintenance rather than law enforcement as their principal police function. There is considerable variation within these organizational types, as Wilson’s sketch of “watchman” and “service” departments suggests. But in any given organizational context, policing juveniles is, among other things, a job, located in a system of administrative controls within police departments that constrain the exercise of officers’ discretion both on the streets and in the station (Brown, pp. 246–279).

**Ideological aspects.** Throughout the twentieth century, there has been a deep ideological conflict between the dominant police conception of their role as “crime fighters,” as opposed to that of “social workers,” and the juvenile justice reform movements that have dominated United States public policy. Until the 1960s, juvenile justice policy reflected the dominant “helping hands” ideology of rehabilitation, which had fueled an earlier child-saving moral crusade and led to the creation of the juvenile court (Platt). The juvenile court represented a formal attempt to enforce the modern idea of childhood, and was intended to serve as a powerful surrogate parent (under the doctrine of *pares patriae*) with broad jurisdiction over delinquent, dependent, and neglected children. Informed by psychodynamic theories of youthful misconduct and maladjustment, the juvenile court sought not to punish but to diagnose, treat, and reform troublesome juveniles with the assistance of probation officers and social workers. Widespread and long-standing public acceptance of the court and its rehabilitative ideology began to unravel, however, amid the crises of the 1960s, public alarm over official rates of juvenile crime, the civil rights movement, growing disillusionment over the seeming failure of rehabilitation, overcrowded jails, new theories of delinquency, and mounting demands for change (Empey, 1978, pp. 440–518).

The resultant “revolution” in juvenile justice has been based on an alternative “hands off” ideology of reintegration whose reform agenda has focused on four main policy concerns: decriminalization of status offenses, diversion, due process, and deinstitutionalization (Empey, 1978, pp. 525–558; Erikson). Such policies were recommended by the President’s

The hands-off ideology has not gone unchallenged, nor has it established a national consensus on the ends of juvenile justice. The persistence of high rates of youth crime, the politicization of crime control as a national issue, the retreat of the rehabilitative ideal, and rising opposition to the reintegration reforms—all of these have contributed to what Empye calls a “counterrevolution” based on a “heavy hands” ideology of retribution. This ideology of punitive justice emphasizes the protection of the community and the need for swift and sure punishment, including institutionalization and isolation, as the principal means of deterrence and incapacitation of juvenile offenders. It focuses on victims’ rights rather than due process protections, and it seeks to lower the age of accountability (for example, from eighteen to sixteen, as various states have done) and to abolish the juvenile court. Advocates of this point of view believe that reintegration reforms have mainly perpetuated in the courts an excessive leniency and permissiveness that already were seen to be eroding discipline and deference to authority in the family and in the schools. The reforms, they assert, have done nothing to curb a revolving-door justice system that allows increasingly hardened young criminals back on the streets (Empye, 1978, pp. 546–548).

The retributive ideology essentially coincides with the dominant police perspective on the juvenile justice system, and with the often cynical and suspicious occupational outlook that police develop as an adaptation to their role and that is entrenched in the police system. These ideological elements, in turn, combine with the historical, situational, and organizational contexts of police work to influence police operational styles in dealings with juveniles. The exercise of police discretion in these contexts, which expose the officer to the conflicting demands and attitudes of the community, the department, and the legal system, is thus extraordinarily complex, a fact that typically defeats efforts to control and change the character of police practice. Nonetheless, it is precisely because of what is expected of the police and of the powers entrusted to them that the decisions made by police are critical to the course of juvenile justice.

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See also Age and Crime; Crime Prevention; Juveniles as Potential Offenders; Articles under Juvenile Justice; Juvenile Status Offenders; Youth Gangs and Groups.

BIBLIOGRAPHY


vice squad

Historically, the vice squad is that organizational branch of a local police department which specializes in the enforcement of laws prohibiting prostitution and gambling and, more recently and importantly, the use and sale of illegal drugs. The laws enforced by the vice squad are accordingly among the most controversial in the armamentarium of the criminal law. The vice squad enforces "victimless crimes" lying at the "borderland" of criminal justice.

No systematic statistical studies of vice squads have been undertaken to determine how many exist, their average size, or what portion of law enforcement resources they expend. A minor survey of West Coast police departments conducted in the summer of 1970 revealed that every major police department in California maintained a vice squad and that smaller cities might join in forming a countywide narcotic enforcement unit. A rough idea of size and scope might be gained from the following comparisons. San Francisco, with a population of 642,900, maintained a vice squad of seventy-two, or 3.89 percent of the total police force. Oakland, whose population was 327,300, maintained a vice squad of fourteen, or 2.64 percent of the total force, and Merced, a farming community of 34,000, increasing to 45,000 during the harvest season, assigned six officers out of seventy, or 8 percent of its force, to its vice squad (Skolnick and Miller).

Oakland's vice squad is fairly typical of the organization and operations of such units in middle-sized cities. A lieutenant, two sergeants, and eleven patrolmen constitute the squad. The lieutenant reports directly to the deputy chief who heads the bureau of investigation. A majority of the squad's members are assigned to narcotic enforcement, and the remainder try to contain the city's population of prostitutes and illegal gamblers.

Prostitution and gambling. Prostitution and illegal gambling are commonplace in the United States and are most visible in places where people congregate for recreation and relaxation. There is of course no way that vice squads can eliminate prostitution or illegal gambling. Whatever the manifest task, the vice squad, its real function seems to be to regulate the visibility of such activities. Thus, in both a working-class city such as Oakland and a convention city such as Las Vegas, the vice squad initiates prostitution arrests to control the appearance of public order. The more visibly women solicit in the streets, the more likely are they to become obvious to vice squad detectives, as well as to citizens who complain about the general presence of prostitutes in their neighborhood.

There is thus an inevitable social-class relationship between vice squad activity and the social position of both women and their clientele: the lower the social class of the clientele, the more likely are prostitution to be apparent. Cities featuring convention activity and entertainment, such as New York, Chicago, Los Angeles, San Francisco, and Las Vegas, attract a sizable resident population of higher-priced call girls who do not work from the streets. They do not solicit in public and thus are not evident to police, or they may have worked out some alternative arrangement with members of the vice squad. Such women, working out of expensive apartments or hotel rooms an