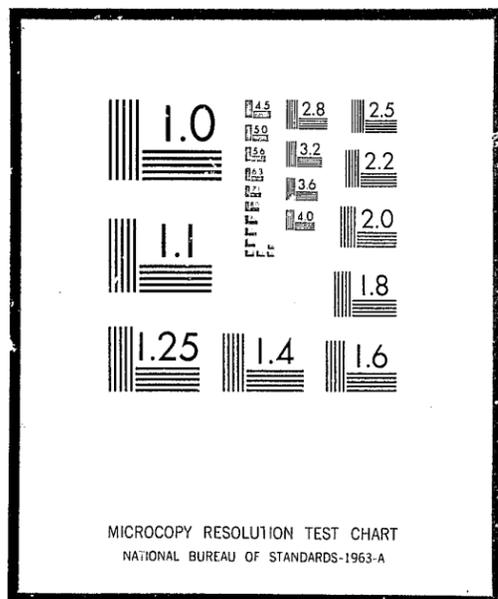


# NCJRS

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U.S. Department of Justice.

U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE  
WASHINGTON, D.C. 20531

Date filmed

6/30/76

submit, there will be in the years to come greater utilization of youth facilities for the older, sophisticated, more aggressive delinquent. This will not be based on waiver by the juvenile court because of a vicious crime, but rather on the basis of a diagnostic determination that the youth will benefit more from this type of setting both as to rehabilitation and the protection of others. This will not result in a mass transfer and must be done with all legal protection for the youth concerned.

### 8. Evaluation of ongoing programs

As mentioned earlier, an evaluation of institutional programs is almost nonexistent today. Our requests for staff, programs, and physical plants

are based too much on the operational pressures and on what we believe, and too little on what we actually know. Changes in an institution, as in any administrative structure, are a difficult process. In the future, however, new programs and continuation of old ones must be based on their effectiveness and need as shown by evaluative research. Some believe that outside agencies, such as universities or separate research and evaluation agencies, should perform this task. They believe it is difficult for an ongoing operating agency to evaluate its own programs objectively. Institutions will have to develop this capability or call on someone else to provide this service.

## The Court, the Police, and the School

BY LOUIS W. MCHARDY

Administrator, Juvenile Division, Circuit Court, City of St. Louis

IN OUR STRUGGLE today against juvenile delinquency, it is generally agreed that no community institution or agency can function effectively in a vacuum. Segments of the problem become the province of different agencies, but no one institution or agency has complete responsibility for coming to grips with the juvenile delinquent and his problems.

The remarks which follow are general statements about the importance of a cooperative relationship between three such agencies in the community—the court, the police, and the school. They are based upon observations and discussions of a breakdown in the cooperative relationships of these three agencies that occur in many communities throughout the country.

If ever a need existed for a positive relationship among agencies, it does so today with the juvenile court, the police, and the school. Never before have such demands and pressures been placed upon all three institutions.

The problems of troubled youth have mounted disturbingly each year and continue to challenge the court, the police, and schools. Society not only puts greater demands upon each of them, but

places the blame for increasing delinquency at the doorstep of each.

According to the President's Commission on Law Enforcement and Administration of Justice, "... one in every nine youths—one in every six male youths—will be referred to juvenile court in connection with a delinquent act (excluding traffic offenses) before his 18th birthday."<sup>1</sup> It further reports that the "11- to 17-year-old age group, representing 13.2 percent of the population," was responsible for at least 50 percent of all burglaries, larcenies, and motor vehicle thefts in 1965.<sup>2</sup> During the 5-year period from 1960 to 1965 "arrests of persons under 18 years of age jumped 52 percent for willful homicide, rape, robbery, aggravated assault, larceny, burglary, and motor vehicle theft."<sup>3</sup>

Practically all of these young people pass through the portals of schools, police stations, and the juvenile courts. Each of the three agencies aspires to have some alleviating effect on the trend or pattern of delinquency—to prevent or break the chain of misbehavior. Each is concerned about the vitality and importance of its role in delinquency prevention and control. In a sense, they are on the front lines of a battle being waged night and day against a numerically superior enemy with environmental resources of its own

<sup>1</sup> *The Challenge of Crime in a Free Society*. A Report by the President's Commission on Law Enforcement and Administration of Justice. Washington: U.S. Government Printing Office, 1967, p. 55.  
<sup>2</sup> *Ibid.*, pp. 56-58.  
<sup>3</sup> *Ibid.*, p. 58.

NCJ-005568

FEDERAL PROBATION, V 32, N1 (MARCH 1968)

for ammunition and support. The war-scarred elements of these three agencies lack such logistical support.

Society has not provided the support these agencies need. Personnel, training, facilities, funds, organization, and equipment are found wanting. Trained and experienced teachers and school counselors leave for better paying jobs and better living conditions, just as skilled police officers and probation officers do.

Under fire, waging a struggle against a common enemy, it would seem that these creations of government—the courts, police, and schools—would be allies, supporting each other in their efforts. But, unfortunately, this often is not the case. The school principal may denounce the juvenile court for failure to detain and “send away” a schoolyard troublemaker. The probation officer may accuse the police of brutality. The police officer may be refused admission to the school to question a burglary suspect. The school board member demands “toughness” from the court while the judge pleads to school authorities for special education facilities. It goes on and on and is a feature in almost any newspaper.

All would agree that a relationship nurtured by antagonism and criticism is most unfortunate at best. Instead of community *organization*, this often results in community *disorganization*. In place of a common front with mutual and similar objectives, a weakened and drained line of resistance results.

#### Elements in a Positive Relationship

A positive relationship among these agencies requires the following elements:

**Knowledge.** Awareness of the other agency's location, organization, function, problems, and capabilities is most important. Without this basic knowledge, there can be no appreciation nor understanding of the other's work.

A school teacher may be a highly skilled instructor of civics or social studies and know little about the operations of a juvenile court. His failure to understand why a vandal is not incarcerated, immediately, in a state correctional institution upon apprehension, often serves to frustrate a court intake worker.

The refusal of a school district to transfer a child to another school at the whim of a probation

officer, who knows nothing of what is offered at either school, can create difficulties.

The homicide detective who works long and weary hours to obtain a confession from a recalcitrant 16-year-old, only to have the judge throw it out as having been obtained in violation of his constitutional rights, is at a loss in understanding why it was necessary for the court to take the action it did.

Knowledge about each agency, then, is important. One agency must not only know what the other does and why, but it also must make every effort to give information about itself. Knowledge about the work of each agency must remain not only with the executive, the commander, the director, or the principal, but also must be communicated to each person at the working level.

Knowledge about the particular problem dealt with is vital. The troublesome truant, for example, can mean one thing to the school, another to the police, and another to the court. The meaning for each should be known to the other.

One excellent means of enhancing understanding of what one agency expects of the other is to have written agreements. Lawrence E. Higgins, in an article prepared for discussion at the 1960 White House Conference on Children and Youth, in March 1960, citing the importance of such agreements in eliminating misunderstanding, said:

Although in general the law states the respective areas of responsibility, a statement delineating the function of the police department in rendering police services to juveniles is desirable. A statement of this kind, mutually agreed upon, would tend to eliminate many of the misunderstandings which occur between the police agency, the courts, and other agencies in the community.<sup>4</sup>

This is an especially good practice to follow and has worked well. Particularly where there is a turnover in agency personnel, it is helpful to have a guideline statement of mutual responsibilities and relationships which may be relied upon no matter who is at the helm.

Statutes and ordinances which govern the authority and procedure of courts, police, and schools should be widely disseminated and interpreted by the responsible officials. It is distressing to discover that a school official has never read his state's juvenile court code. What is even more disturbing is to learn that an occasional court representative is not aware of its provisions!

**Communication.** Dialogue must precede agreement, knowledge, or understanding. As Harold J.

<sup>4</sup> Lawrence E. Higgins, "Specialized Police Services for Juveniles," 1960, p. 17.

Leavitt noted in his text, *Managerial Psychology*, "People begin, modify, and end relationships by communicating with one another. Communication is their channel of influence, their mechanism of change."<sup>5</sup>

At a national meeting a few years ago, the commander of the juvenile bureau of a police department in a large city boasted, publicly, that his men were not even talking to the staff of the juvenile court in his county. Juveniles apprehended during the work day of the court were placed, afterhours, at the distant detention home, to be picked up by the court's intake worker the following day, in order that the police officer would not have to undergo the "red tape" of the court's intake procedure.

In this same city it was court practice never to notify a school that one of its students was in difficulty, for fear the student would be expelled or suspended under the standing policy of the local school board. When the matter finally came to the attention of the school, as most serious situations inevitably do, it was not in a position to be of much help.

Communication is not the sole prerogative of the executive. Ideally, it should occur on every level, particularly the working level. This is not to imply that channels or administrative lines of authority should be ignored, but rather that the probation officer should be able to discuss a case with the police officer and that the school counselor or social worker can exchange views with the probation officer.

Communication should be continual and involve all parties interested and concerned. Where there is a special department in the school system to handle problem children, the police and courts often overlook the respective schools of the children; the principal and teachers are left in the dark about the child. By the same token, police officials whose work is not directly related to juvenile matters, may be out of touch with the courts and the schools if not brought into dialogue.

**Respect.** William H. Sheridan of the Children's Bureau, in *Standards for Juvenile and Family Courts*, points out:

Since the common objective of the court and the agencies is to provide care or treatment for children, there must be mutual respect and willingness to work together. Mutual respect, in this case, is more than personal admiration. It involves regard for the tenets

of each other's profession and for the contribution each can make. A court cannot work effectively with an agency which does not recognize the rights of individuals assured by law and the court's function to protect these rights. An agency cannot work effectively with a court which believes the treatment or social processes used by the agency are only incidental to its ability to provide a child with a bed, or which believes it should direct each step of care and treatment.<sup>6</sup>

Respect also goes beyond a positive feeling for the other organization. It must reach out to include the persons who comprise that organization. It involves a willingness to comprehend how and in what ways the person performs his work, the skills he must call upon to carry them out, and the problems with which he is confronted.

Further, it is most important that there be a realization of the complementary nature of the roles of the agencies—how their work dovetails into a total program. The court, police, and schools are part of a broad spectrum, including many agencies and institutions.

Promptness in responding to requests and inquiries, courtesy, and a willingness to cooperate are characteristics of respect.

Irresponsible public criticism has no place in cultivating or maintaining a positive working relationship. Problems between agencies should be handled out of the public eye. Bitterness engendered by an irate public statement often requires a long time to heal. In the meantime, all programs can suffer.

Each agency must not only respect the other, but also should attempt to win respect for itself. Humility often plays an important role. This comprises an ability to admit being in error or to acknowledge not having the solution to a problem. Expressed appreciation for the work of a cooperating agency helps win respect. But one of the best ways to attain respect is to respond to requests efficiently and with dispatch.

Confidence in the work and staff of each cooperating agency is an important factor in achieving mutual respect. Self-confidence is another.

Providing support in times of crisis is also helpful. Coming to the defense of another agency when it is being attacked unfairly is seldom forgotten and paves the way for a pleasant and meaningful working relationship.

#### Summary

Garrett and Rompler, in their recently published study of delinquency, *Community Resocialization: A New Perspective*, cite the "very practical necessity for interagency cooperation and

<sup>5</sup> Harold J. Leavitt, *Managerial Psychology*. Chicago: University of Chicago Press, 1964, p. 138.

<sup>6</sup> William H. Sheridan, *Standards for Juvenile and Family Courts*, U.S. Children's Bureau Publication No. 437. Washington: U.S. Government Printing Office, 1966, p. 124.

coordination."<sup>7</sup> In commenting on agency relationships as they exist now throughout the Nation, they state rather alarmingly:

... if we look at the level of coordination of existing resources which could contribute to the treatment, control and prevention of delinquency, we see that it is so poor that an integrated attack on the problem is not possible.<sup>8</sup>

The community itself often is deeply disturbed by the lack of a cooperative relationship among institutions and agencies. Expressions of these frustrations often take the form of hurtful and digressive legislation. What society is saying, when this occurs, is "if you people cannot get together and work these things out, we will give you a way to do it," or "we will take it away from you

<sup>7</sup> James E. Garrett and Peter O. Rompler, *Community Resocialization: A New Perspective*. Washington: The Catholic University of America Press, 1966, p. 25.

<sup>8</sup> *Ibid.*, p. 29.

and turn it over to someone in whom we have confidence." The community will stand only so much. Excuses mean little to the man on the street.

The courts, the police, and the schools are directly accountable to the public. Often they are not the large bureaucracies in which one can become lost or where a matter can be referred to a state office or federal headquarters. So-called "buck passing" is much more difficult within a local agency.

As Garrett and Rompler point out, a variety of skills and resources are needed to cope with delinquency.<sup>9</sup> Delinquency prevention and control are not the exclusive province of the schools, the police, or the courts. They are mutually dependent upon one another and must work cooperatively and meaningfully in their efforts to educate, protect, and rehabilitate.

## The Dangers of Deadfall Delegation

BY R. W. DEMING

*Director of Research, Alameda County Probation Department, Oakland, California*

IT APPEARS nowhere in the Administrative Codes of the various states, but it must be apparent to every probation officer in the chain of command that one of his primary functions is the development of people under him. The chief probation officer has this function in common with his counterpart executives in the industrial and commercial community. For a chief probation officer, this includes deputies to whom he can delegate certain responsibilities as well, particularly to the chief deputy who may well be expected to move up to a position of department head.

The problem is that delegation alone is not the answer. Delegation in itself does not develop man. Delegation is only the first step; development depends upon followup.

### *Delegation vs. Development*

The high performance and good morale of any organization—sales force, manufacturing unit, or field supervision division—depends, in the final analysis, on the individual performance of people working together.

There is a close parallel between running a

company, or one of its divisions, departments or districts, and controlling an operational unit in a probation setting. Each one involves people and "people problems." Communications, motivation, and leadership loom just as large for commercial managers as they do for probation's staff supervisors. Why not, then, use the same tools and techniques available to industrial managers? That's what most of you are—or could be.

One familiar management story translated into probation terms says a chief probation officer has practically nothing to do except decide what is to be done, and then . . .

- . . . tell someone to do it;
- . . . listen to reasons why it can't or, shouldn't be done;
- . . . or done differently;
- . . . follow up to see if the thing has been done;
- . . . discover that it hasn't;
- . . . ask why;
- . . . listen to excuses from the deputy who should have done it;
- . . . follow up again to see if the job has been