

ABSTRACT

The development of specialized police units to deal with problems of delinquency began in the 1930s and reached its apex in the 1950s. Among factors contributing to the development of these specialized units was the social acceptance of a Paradigm of Adolescence, i.e., of a particular way of conceptualizing this life cycle stage. This paradigm was translated into a juvenile justice system, a system demanded by the newly formed definition of adolescence. Within this system, adolescents were to be treated differently than adults. They were to be protected and receive treatment rather than punishment. Juvenile police bureaus are part of this system and reflect its paternalistic philosophy. Specialization in juvenile policing was further encouraged by the growing complexity of policing juveniles. The result has been that juvenile units have become both commonplace and extremely diversified in function.

If juvenile bureaus were organizational responses to these social changes in the first half of the century then current social changes may be analyzed to yield predictors of continuing organizational responses. Functional changes in police juvenile operations, as reflected in juvenile bureaus, are beginning to emerge as responses to pertinent social changes in the second half of the century as already noted by a number of scholars. The Paradigm of Adolescence itself is changing. In response to the apparent increased adult-like behavior of adolescents and the apparent failure of the juvenile court to deal with delinquency as effectively and capably as was anticipated, new ways of thinking about and responding to adolescents and their deviant behavior have emerged. This new approach is best epitomized by one segment of the Children's Rights Movement which advocates providing juveniles with the legal rights of adults. The effect on the

CHANGING FUNCTIONS OF POLICE
JUVENILE BUREAUS

Malcolm W. Klein and Margaret A. Little
University of Southern California

To appear in Robert G. Rubel (ed.), Law Enforcement Initiated Prevention; Emerging Perspectives of the 1980s.

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain/NIJ/OJJDP
U.S. Dept. of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

95409

juvenile justice system of this approach has been a movement toward a more law-and-order attitude toward juvenile crime.

These social changes would inevitably have ramifications for the structure and function of juvenile bureaus. Yet the rising juvenile crime rate, and especially the violent crime rate, has also created pressures for change from within juvenile bureaus themselves. The apparent failure of current practices has led to increasing police dissatisfaction with them.

These pressures toward change from outside and inside juvenile bureaus take on increased significance within the enforcement profession. There are two factors which make juvenile units particularly sensitive to these pressures. First, the growth of police professionalism orients police toward investigative functions and away from juvenile unit concerns with prevention and treatment. Second, there is little administrative support for juvenile bureaus. The juvenile specialization was largely a response to external change rather than an indigenous development from within the enforcement field. It has never received full philosophical acceptance among police practitioners; agreement on its core functions has not been achieved.

These pressures toward change are currently being enacted in legislative directives and case law decisions. The codification of these changes in law has created an unusual alignment of political conservatism and liberalism. Both of these political factions, while focusing on different issues, advocate the legalization of juvenile justice. Recent laws in California and Washington exemplify this coalition of political factions for this common goal.

The vulnerability of the juvenile bureau in the face of the social changes already noted are combined in this paper with a trichotomy of juvenile bureau functions (prevention, screening, and investigation) to predict alternative forms of organizational response. One possibility is that juvenile units may be disbanded, moving investigative and screening functions to the Detective Division and preventive or rehabilitative functions to non-police agencies. Second, juvenile bureaus might retain only the program function while relinquishing investigative functions to detectives. Third, juvenile bureaus may retain responsibility only for certain types of "compromise" cases such as child abuse, moving investigative functions to detectives and program functions to non-police agencies. A survey of 31 police jurisdictions in California during 1979 provides illustrations of all three organizational responses suggesting a general movement away from the typical pattern in juvenile bureaus, and a heightened salience of investigative activities.

INTRODUCTION¹

Writing for the International Association of Chiefs of Police, Kobetz (1971) has reported the history of the juvenile specialization within law enforcement. The movement was initiated in the form of court officers. The first juvenile police officer may have appeared in Detroit in 1877; there was a female officer for girls in Portland, Oregon in 1905, one in Seattle in 1908, and another in Los Angeles in 1910.

The movement to juvenile bureaus is even more recent. Kobetz documents the first big-city units in the 1930s (New York, 1930; Salt Lake City, 1934; Philadelphia and Cleveland, 1936). These were seen primarily as crime prevention units. The 1940s saw the spread of units to most major departments (San Antonio, Houston, Boston, Louisville, Washington, D.C., Baltimore, Dallas, Detroit, New Orleans, Atlanta). Thus juvenile bureaus were primarily a creation of the '40s and well established in the '50s. In the last two decades, it has been common to find bureaus in many smaller cities and suburban communities as well. So commonplace have these become that the National Advisory Committee on Criminal Justice Standard and Goals (1976) recommended that every police agency with more than 75 sworn officers should have a juvenile investigation unit (as should smaller agencies "if conditions warrant").

In anticipating the future of juvenile specialization among the police, in the absence of any information, our best guess is that there will continue to be change and that the change will not be radical.² But we should improve on that guess if we can successfully identify relevant trends initiated in the past and changing in the present. Public institutions and organizations do not simply appear; they are responses to changing environments. Organized

police departments developed with the rapid emergence of industrialization and urbanization. Police juvenile specialization reflected emerging conceptions of the status of adolescents and increasing incursions of the child welfare movement. Given an understanding of this history and of the context in which it will be merged with the present, some extrapolation to the future seems feasible. That is the purpose of this paper, the focus being on the police juvenile bureau.³ We believe the juvenile bureau is often the fulcrum and exemplar of police policies in the juvenile area; to understand the status of this bureau is to understand much of the philosophy of police juvenile operations.⁴

Yet while we are concerned here with predicting, or at least with anticipating change, we would be foolhardy to predict major changes. There are no massive alterations under way in social values or technology which seem to impinge directly on the justice system. Rather, there is a good deal of "fine tuning" of the system. Further, law enforcement as a profession has given little evidence in the past of precipitous reactions to social change. Instead, it has been a source of stability, a force toward retention of established norms and their procedural enactments.

Thus the question for us comes down to the type of fine tuning now under way in the system and the way this fine tuning reflects broad social trends and fits with recognizable preferences among the agents of the system. We believe the fine tuning to be of sufficient moment and fit that some hypotheses for change in juvenile bureaus should be entertained. There are changes in the conception of childhood and adolescence, changes in views of legal responsibility, changes in our faith in the ability to alter the behavior of juveniles (through both rehabilitation and deterrence), and changes in the

and court rulings
laws regarding juveniles which are at the same time reflexive and initiatory of these other changes. All this suggests possible shifts of some significance for police juvenile specialization; we believe these may be seen in both the structure and functions of juvenile bureaus.⁵

A. The Advent of the Juvenile Bureau

In response to questioning, juvenile officers typically report their activities as responsive to the technical requirements of law and administrative mandate. Some, with a broader perspective, also understand that their activities are influenced by local community interests and pressures. But the task of understanding and predicting change in juvenile bureau functions requires yet a broader perspective, one seldom encountered in station-level discussions. Juvenile operations do indeed reflect current law and administrative practice; they do indeed mirror selected community concerns; but these factors in turn are reflections of a far broader social philosophy which we may speak of as a Paradigm of Adolescence. The past and present of juvenile police operations are a function of this paradigm. As it changes, so will juvenile operations. The situation of this social paradigm seems to us, therefore, to merit attention here.

By the turn of the century a set of social changes had occurred which would have important implications for the policing of juveniles. These changes, including the decline in adolescent boarding (e.g., Katz, 1978; Little and Laslett, 1977), alterations in adolescent labor force participation (e.g., Bloomberg, 1974; Katz, 1978), and changes in the organization of an ideology surrounding the family (e.g., Laslett, 1973; Shorter, 1975), combined to revolutionize the way adolescents were thought about in American society.

The results of the revolution can be found in the writings of G. Stanley Hall. In 1904, Hall published his highly influential two-volume treatise, Adolescence. Within this work, adolescents were described as "infirm, hapless creatures" who were highly susceptible to societal influences (Grinder, 1975:22). This was a decidedly different view of adolescence than had been held in the past.

This view of adolescence was not created by Hall. Such a view had been evolving, in response to the social forces cited above, for years prior to the publication of Adolescence. However, it was Hall who brought these ideas together and strengthened them with the power of expert opinion and scientific theory. Subsequently these ideas had enormous social influence.

Hall's achievement lay in reshaping certain aspects of popular belief about youth, combining them with some of the exciting new ideas in science (i.e., evolution); gathering data on a large scale, and presenting the whole in a persuasive and meaningful fashion (Demos and Demos, 1969:367).

In other words, what Hall did was to present the public with a Paradigm of Adolescence.

To borrow liberally from the work of Thomas Kuhn (1970), a Paradigm of Adolescence is that set of beliefs and values about this age group held by members of our society. As a paradigm, adolescence is not most centrally a constellation of innate characteristics peculiar to this stage in the life cycle. Rather the Paradigm of Adolescence is a set of socially constructed responses to this age group, the way we view them. It is a cultural fact, not a biological one.

The Paradigm is very powerful. It blinds us to alternative ways of thinking about adolescence. It defines our expectations of adolescent behavior and our reaction to those adolescents who deviate from these expectations.

It is the foundation of all institutions constructed to respond to adolescence.

One such institution is the juvenile court.⁶ The establishment of a separate juvenile court was a highly symbolic as well as operational acknowledgment of adolescence as a distinct phenomenon, distinct in particular from adulthood. In addition, the juvenile court represented a major effort at what is now called juvenile diversion. It was designed, first, to treat youngsters separately from the criminal courts and, second, to offer its own protective mantle in order to foster rehabilitation. In responding to this separatist, protective, and rehabilitative thrust; other segments of the juvenile system also expanded. In corrections, in probation, and in enforcement one saw the development of altered strategies and specialized units designed for juveniles, requiring special knowledge of juvenile status and behavior, and demanding special skills and training. And, of course, one saw the growth of professional associations to support, maintain, and sanctify the existence of the new thrust and its practitioners. We do indeed have a juvenile justice system; a structure of considerable substance and power,⁷ built on a paradigm of adolescence.

Juvenile specialization, as part of this system, was indirectly mandated by the paradigm. If adolescents are uniquely different from adults (and the paradigm said they were), then they must be policed by a specialized group of officers who are trained in the characteristics of this age group. If adolescents are innately incompetent, then it followed that they should not be arrested and processed by law enforcement officials as if they were responsible for their actions. Rather, police should respond to the individual needs of each juvenile, using their discretion and training to decide on the best

approach in handling each juvenile. If adolescents are in need of special protections and laws are passed to ensure this protection, then a group of officers trained in these laws and in the protection of minors would be necessary. The approach needed to be paternalistic, not punitive.

As a result, traditional juvenile contact and handling criteria (a) have been clearly distinct from adult contact and handling criteria, (b) have represented social treatment as well as justice priorities, and (c) have been arbitrarily responsive to the dynamics of changing social mores and community demography (more so than for adults). A logical response by the criminal justice system thus has been to distinguish juvenile processing from adult processing by creating distinct organizational structures, e.g., juvenile units, whenever resources and relative volume of contact justified such specialization.

Growing complexity in the assessment and application of the above criteria has enhanced the drive to juvenile specialization in law enforcement. Specialization has also been driven (1) by the range of informal options (station adjustment, "volunteer" programs) available to the law enforcement practitioner, the implementation of which requires special knowledge and training, and, (2) by a desire to minimize the demand for familiarity with the unique attributes of juvenile processing on the part of officers charged with adult processing and general community protection/service (as this demand may dilute the agency's ability effectively to achieve its broader mission). The typical embodiments of specialization have been the juvenile bureau and juvenile officer. In fact, there has been an attempt to equate the interests of individual officers with the inevitable juvenile service demands placed on the police agency (hence, the evolution of female officers' roles in cases of child abuse).

But with the proliferation of juvenile bureaus came a diversity in both form and function (Rovner-Pieczenik, 1978, p. 41). Some stressed prevention while others were carefully placed in the Detectives or Investigation Division to emphasize the traditional police function. Others became the "natural habitat" for female officers. Various, they came to stress missing persons, community relations, narcotics investigation, gang intelligence, female delinquents, prevention, school patrol, school liaison, and so forth. The result was a lack of consensus on function, and much confusion over the appropriateness of various juvenile operations in the arena of law enforcement. Two illustrations suffice to make this point.

In his widely adopted text, Eldefonso (1967) stresses prevention as the primary role for the juvenile bureau. Yet his discussion makes it clear that its operational translation is in various forms of surveillance; surveillance both of children and of crime-breeding social or neighborhood situations. And despite the preference for a preventive focus, Eldefonso would have the unit placed in the investigative division and have it concentrate its energies on follow-up investigation and staff assistance. The point is not that he is right or wrong, but rather that the suggestions are almost inherently incompatible.

Equally revealing of this ambiguity over the juvenile police role is the comment of the IACP's R. Dean Smith in the Foreword to the Kobetz volume:

We have said, for good and sufficient reason, that children really ought to be treated differently from adults by our justice system. We have also said that they ought to be treated according to the same rules of procedure as are adults. We at the IACP happen to believe that both propositions are sound. We also agree that both propositions are not necessarily compatible. Incompatibility does not diminish goodness or truth.

As might be expected, the growing lack of consensus on function is mirrored in a proliferation of functions. In their popular text, Kenny and Pursuit (1970) suggest a juvenile bureau structure with as many as fifteen details or sub-units. Here we have specialization within specialization. Is there another function to perform? Assign it to a new detail. That this structural manifestation of functional diversification is not merely a textbook exercise is attested to by Rubin's (1979) description of the Denver bureau, called the Delinquency Control Division, which employs 71 detectives and 35 civilians. The organizational chart shows three bureaus within the Division (Prevention, Investigation, and Auto Theft) with ten smaller units subsumed by these.

B. Pressures Toward Change

From the foregoing description, one might predict changes in bureau structure and function merely as a reaction to the baroque structure which has been appearing. And perhaps in the very largest departments this would be valid. *Obviously, changes described in this paper will depend, in part, on size of city and department.* But most bureaus are not so unwieldy as the extreme noted above. There are other, more generally applicable bases for predictions of change. Fundamental among these is the change taking place in the Adolescent Paradigm discussed earlier.

The Adolescent Paradigm has been paternalistic, protectionistic, assuming the dependence and incompetence of youth. Presumably, because the juvenile justice system reflects this paradigm, it would provide both the most effective and the most humanitarian handling of juvenile offenders. Increasingly, however, the validity of this paradigm and the viability of the institutions based on it have been questioned.

Adolescents have slowly seemed to take on many attributes, positive as well as negative, that do not fit with this paradigm and its assumptions of adolescent incompetence and dependence. They seem to learn faster in an increasingly technological age. They commit adult-like crimes. They experience sex earlier, reject parental authority earlier, experiment with drugs earlier. To many adults, they seem to reject the very institutions we have developed to protect them, the schools and the court system. When we permit them to serve in the armed forces, we also hear that they should be able to leave home symbolically in other ways, to vote and marry: in a word, they seem to us to reject our care and demand earlier liberation. Thus, adolescents themselves have, behaviorally, changed the Paradigm.

Challenges to the paradigm also have resulted from the failure of the juvenile justice system to deliver on its promises. Critics of the system argue that it operates neither effectively nor in a very humane fashion. As to effectiveness, the high juvenile crime rate has resulted in public criticism that the system cannot effectively address juvenile crime. Consequently, there is widespread support for a more punitive response to juvenile offenders. At the same time, there is increasing evidence that juvenile offenders do not receive the humane care that would ideally stem from the paternalistic philosophy upon which the system is based. If the system cannot provide protective care for its clients, critics suggest that juvenile offenders should be given more legal protections. In fact, one segment of the Children's Rights Movement advocates that juvenile offenders be given all the rights of adults in legal proceedings.

All of these factors are inconsistent with the Paradigm of Adolescence. The competent, independent behavior of adolescents, the punitive approach to juvenile offenders, and the extension of legal rights to juvenile offenders

are clear indications that the original paradigm is insufficient. In Kuhn's terms, these factors are "anomalies," i.e., factors which cannot be accounted for by an existing paradigm. As Kuhn notes, a paradigm can withstand only a limited number of anomalies before it is replaced by a new paradigm which can incorporate these anomalies. This is what appears to be happening with the Paradigm of Adolescence.

The cumulative result of these anomalies, as they affect the juvenile justice system, has been to consider both a more law-and-order and a more legalistic response to juveniles. The combined effect of these two responses suggests a new paradigm of adolescence. A punitive response to juvenile offenders and the provision to juveniles of the legal rights of adults implies that adolescents are responsible for their actions and competent enough to act on their own behalf. Holding adolescents responsible for their actions and treating them as competent is antithetical to the old Paradigm of Adolescence. ^{A recent example may be found in new adolescent emancipation laws.} Thus, we may be witnessing a replacement of the established paradigm of Adolescence with a new one. [^] If so, one should predict changes in organizations originally developed in response to the established paradigm. Indeed, we see the change in the paradigm as a significant social shift. By itself, it might yield some change in juvenile operations.

But, it is not "by itself." Related changes merge with the movement for a new paradigm to accelerate the developments we foresee.

The reports of steadily rising juvenile crime rates over the past several decades have taken their toll in the satisfaction of law enforcement personnel with the existing system. The activities in prevention, community relations, and diversion programming have not yielded demonstrable benefit, at least in reducing juvenile crime rates. But they have increased the sense of frustration with current operations among many enforcement officials.

Similarly, the seemingly greater proportion of youthful involvement in violent crime, specifically, has added to police disaffection with non-investigative roles; a crackdown on violence has been called for from almost every quarter. Quite obviously, this can be made to fit with the implication of the Children's Rights Movement that liberated youth should also be accountable youth. Not only is violence of greater concern in the general community; it is assumed that violence requires more severe action than non-violent delinquency, and severe action requires greater expenditure of effort in investigation and case preparation.

C. The Departmental Context

The pressures noted above take on added significance in the particular context of the police world. There are two characteristics of the police world that make juvenile units especially susceptible to impact by this movement toward more adult-like treatment of adolescents. First, the growth of professionalism (however defined) in police work has brought with it the "new breed" stereotype of technological enforcement developments. The beat cop is denigrated in favor of the patrolman; the patrol officer, more technologically limited than the detective, receives lower status than his investigative counterpart. "Professional" juvenile officers must therefore orient themselves toward investigative functions or goals; one result of this is higher arrest rates among professional than "fraternal" departments (Wilson, 1968).

In the context of the juvenile bureau, these comments take on special meaning. Juvenile officers over the years have suffered from their stereotype as "diaper dicks," members of the "Kiddie Korps." Rubin (1979) has noted the concern of the IACP with the low status which juvenile officers often hold in

their profession. With increasing emphasis on adult-like handling of juvenile offenders, the roles associated with the non-investigative functions come increasingly into jeopardy. Those who continue to fulfill them are even more vulnerable to the diaper dick label.

Second, it is our very distinct impression, drawn from many conversations with officers, Bureau Commanders, and Chiefs, that many top administrators in police departments, and Chiefs in particular, simply do not invest their concern in juvenile matters. Chiefs leave to Bureau Commanders the goals and guidelines for juvenile operations far more than is the case in Patrol and Investigation divisions. With pressures toward change emanating from the Children's Rights Movement and from the greater concern with crime rates and violence, the administrative bulwarks for current forms of juvenile operations are absent. If the Chief cares little or is unfamiliar with juvenile matters, then change is more likely.

Given these forces for change and the susceptibility of juvenile units to them, how will these changes come about? The social forces discussed above are increasingly salient in public discussion and political debate, leading to the codification of the new perspectives in ^{case law and in} state and federal legislation. It is through this new legislation that these forces for change effect juvenile units. What the Gault decision started has continued in the form of ^{and} new statutes. As the decade of the '70s closed, federal legislation (e.g., ^{Further} ^{Court} ^{decisions} the Juvenile Justice and Delinquency Prevention Act of 1974) and new state laws (as in California and Washington) have provided the inputs to structural change in juvenile bureaus that we are positing. Thus, we must examine the nature of these legislative changes in order to understand how juvenile units will be effected.

in various court cases (e.g. Gault, Kent, Winship) and

Some of the legal changes were foreshadowed in the recommendations of the 1967 President's Commission. The Juvenile Delinquency Task Force Report urged diversion as the police disposition of first preference and "official handling of the more serious and intractable offenders" (Task Force Report, pg. 16). This duality in approach is what we now see in new state legislation.

At the risk of over-simplifying the situation, we can fairly say that political liberalism and social welfare protectionism have aligned themselves around the problems of helping status offenders. Similarly, political conservatism has combined with a neo-classical criminology around the demand to provide "just deserts" for delinquent offenders: protectionism vs. punitiveness. But rather than fostering direct conflict, this opposition has found an acceptable compromise, with two interesting facets.

First, as suggested above, the more liberal and more conservative factions have concerned themselves with opposite ends of the seriousness continuum, the liberals with minor and status offenders and the conservatives with the serious delinquent offenders. This permits each faction to concentrate on a pertinent aspect of the delinquency problem without necessarily stepping on the toes of the other faction; "I'll stay off your turf if you'll stay off mine."

Second, each faction supports a common goal: the rising national concern with legalization of juvenile justice practice. However, each has done so through the medium of different emphases (Teilmann and Klein, 1979). For the liberal/protectionist faction, legalization has taken the form of due process. In the case of status offenders, those whose act was not technically criminal, due process has meant protection against criminal sanctions or even separation from the juvenile justice system altogether.

For the conservatives, legalization has meant the provision of fuller criminal court proceedings for delinquent offenders. If a delinquent act is a criminal act, then procedures for delinquent offenders should approach those for criminal offenders, as should sentencing of convicted offenders. Such procedures may include full adversarial proceedings, the lowering of the age of majority, certification to adult criminal court, and placement in adult correctional facilities.

The most interesting feature of our current transitory state is this compromise stance suggested above. The liberals and the conservatives have found their own slices of the pie. So long as they are convinced that the slices are reasonably separate, the two opposing political views can coexist in reasonable harmony, bolstered by their separate legalization emphases on due process and adult process.

Lest the reader suspect that we have built a fantasy structure in all of this, let him review the tidal wave of new juvenile legislation now beginning to sweep across the country. Best personified by the new 1977 and 1978 laws in California and Washington, these new bills embody both directions of the juvenile justice progression within the same legislative framework. Using as an example the California case, there were liberal provisions to deinstitutionalize all status offenders (including prohibitions of even temporary detention to encourage greater use of informal rather than formal probation, and to foster greater use of community treatment options. At the same time, decisions on filing of delinquency petitions were shifted to the District Attorney, the D.A.'s presence was mandated in all delinquency hearings, and certifications to adult court were greatly facilitated. Both factions were served; legislative

which however was unintended

schizophrenia was legitimated; the patient is currently under intensive observation (Klein, 1979).

Serrill (1979) describes the Washington legislation in very similar terms: a "unique compromise between liberal and conservative forces in which almost everyone got what they wanted" (page 48). We might note, parenthetically, that our own experience in California suggests the "they" in the phrase "everyone got what they wanted" probably refers more accurately to the legislators than to the criminal justice practitioners.

Why should these legislative codifications of social change have impact directly on juvenile bureaus? Preliminary analyses of the California situation provide the answers (Teilmann and Klein, 1979). After 1977, arrests of status offenders fell off almost 50 percent, accelerating a trend already evident in prior years. Community agencies failed to respond by providing more bed-space and services, so that private community treatment could not be increased. Juvenile investigations became more detailed and thorough in order to meet the new prosecutor criteria. Remands of serious (violent) juvenile offenders to adult court increased substantially; more juveniles went to adult correctional facilities.

While the effect of the new California legislation was not massive, it was substantial and, in almost every type of change noted, could be expected to be felt in the practices of police juvenile bureaus. The problem, then, is to suggest the likely direction of such changes and to suggest possible determinants of choices among these directions. We have, of course, suggested these determinants in the preceding pages.

D. Directions of Change

Commenting on possible directions of change is hampered by the great variability of functions among juvenile bureaus and by the great versatility of operations to be found within various bureaus, as noted earlier. It will simplify this discussion to adopt the trichotomy of functions which emerged from the extensive national investigation carried out by the Police Foundation (Rovner-Piecznik, 1978). Figure 1, reproduced from the Foundation report, is an abstracted representation of functional relationships, taken from research into 165 juvenile units. While no single bureau may be perfectly described by Figure 1, the average bureau is.

[Figure 1 about here]

Most important to our purposes is the Foundation report's conclusion that "most, if not all, juvenile units perform one or more of three functions:

Investigation--gathering and acting on information relating to the commission of an alleged criminal incident.

Screening--gathering and acting on information for the purpose of reaching a case disposition.

Program Operation--implementing an activity within the community designed to prevent delinquency or rehabilitate the delinquent."

The original officers assigned to the courts at the turn of the century probably emphasized the screening function more than any other. This was in the spirit of the original purpose of the juvenile court to divert children from adult-like handling. Later, all three functions could commonly be found. Representing the IACP view, Kobetz (1971) gave particular importance to the prevention (Program Operation) function, but noted that prevention activities should not be lodged under the Detective Division (pg. 180).

Similarly, the National Advisory Committee on Criminal Justice Goals and Standards (1976) urged a separation of investigative from program operation

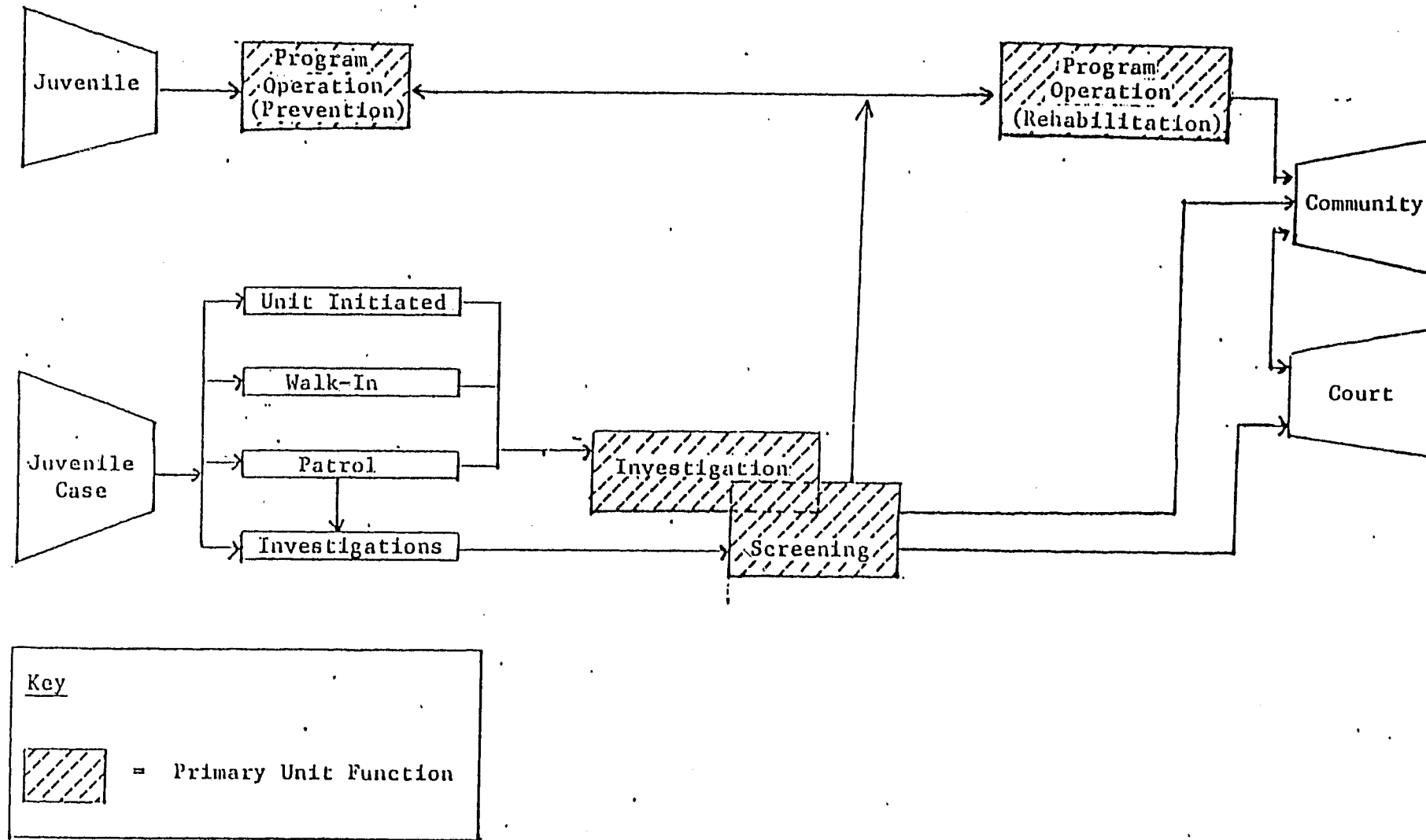
functions. The Committee advised that these latter functions should be the purview of non-sworn personnel within the juvenile bureau.

Thus, while the three major functions are readily identifiable, there is also some feeling that perhaps they should be separated, that they are not altogether compatible. The enormous and politically mandated growth of "community relations" functions which resulted from the urban crises of the late 1960s served to increase the tensions between these functional alternatives. By the mid '70s, the three functions--investigation, screening, and program operation--were no longer being accepted with near-equal priority. Departments were variously emphasizing one over the others, or compartmentalizing their activities in a way that the three were not directly confronting each other. Changes in the balance between the three functions were underway, but idiosyncratically.

What we believe is now foreseeable is that these idiosyncratic changes in priorities among the three functions will become more systematic. ^{to} The change in form of the Adolescent Paradigm, the gathering strength of the Children's Rights Movement, and the persistent concern with serious and violent juvenile crime will, we predict, be manifested in several ways. Each of these will result in greater priorities for investigative, and perhaps screening activities, at the expense of the prevention and rehabilitation activities that comprise the Police Foundation report's third function, program operation. Three manifestations of this direction seem most likely.

First, the juvenile bureau may be abandoned. We are familiar with a substantial number of departments which have selected this option. The end of the bureau would mean the lodging of investigative and screening functions with the Detective Division and the relinquishing of preventive or rehabilitative functions to other agencies such as probation, welfare, and private

FIGURE 1: Primary Unit Functions



organizations. An interview in a department which chose this option several years ago suggests that this change can be effected with considerable ease and with much relief within the department. The demise of the "Diaper Dick" was a salve to members of the department.

Second, investigative functions could be given to the detectives and the program functions retained for the juvenile bureau. This would obviate the concern for screening in the juvenile bureau, drop the pretense that juvenile officers are integral to the stereotyped core of police work, and place the unit more clearly at the community end of the justice system. Officers and non-sworn personnel would be selected specifically for their interests in program operation, and the tension previously associated with many juvenile bureaus would be greatly reduced. Currently, we are aware of several instances of this second solution. Police-administered Youth Service Bureaus are one manifestation of it.

Third, there is the option of returning most investigative functions to the Detective Division, relinquishing a number of program functions to other agencies, and reserving to the bureau certain "compromise" types of cases. This is the most intriguing of the three options, and one we have observed increasingly as we move into the decade of the '80s. A compromise case is an instance of juvenile behavior which requires either (a) special investigative skills or (b) is justifiable as directly preventing serious criminal activity.

Examples of the first compromise category are child abuse and critical missing juvenile cases. Child abuse is popular in juvenile bureaus because there is a definable and clear victim and a perpetrator who is both adult and socially reprehensible. The nature of the crime requires unusual

investigative skills because of the hidden nature of the crime, its forensic difficulties, and the interpersonal (family) relations involved. "Critical" missing juvenile cases are those under 12 or so years of age where a suspicion of foul play can be entertained. Again, the possibility exists of a true victim and adult perpetrator, and there is a need for special investigative skills, including collaboration with other agencies. The possibilities of abuse, rape, assault, homicide, and kidnapping whet the investigative appetite. A juvenile bureau which deals with such cases as these, abuse and suspected foul-play missings, is unlikely to be derided by the patrolmen and detectives in the department; the activities are legitimated in terms of core investigative functions.

The other category of compromise cases are those which relate to the prevention of normal adult-like crimes. Here the justification lies less in the skills required than in the contribution to crime reduction or to prosecution. For instance, juvenile gang intelligence activities are generally valued for their potential contribution to identification of suspects in gang delinquency, especially gang violence, and in alerting communities to the incursion of gangs into new areas, especially the suburbs. The increasingly popular "truancy sweeps" might seem to be the essence of the Diaper Dick mentality, except that they are justified in terms of a reduction in daytime burglaries. ¹² And intelligence gathering and surveillance activities of "hard core" offenders are increasingly justified by police and social scientists alike (Wolfgang et al., 1974; Hamparian et al., 1978) because data suggest that a very small proportion of juvenile offenders contribute the bulk of juvenile arrests. Thus concentration on these few offenders by the juvenile bureau may contribute geometrically to crime reduction.

The reader will probably recognize the special appeal that these compromise cases would have for traditionally oriented police. Juvenile bureaus which emphasize these cases will be able to maintain their organizational status by identifying themselves with traditional roles and by relinquishing the less-traditional program activities. In addition, these compromise cases, being of high priority, will permit assignment of lowest priority to the types of cases--status offenses, minor delinquencies--that have yielded the Diaper Dick stereotype.

As we noted above, it is our impression that the major direction of change now occurring is this third, compromise option. Child abuse units, intelligence functions, truancy sweeps and attention to the "critical" missings are becoming more common. But even if the other options become more common, that is, the abandonment of juvenile bureaus or the retreat to program functions only, our belief is that each represents a definite overall thrust toward serving the traditional investigative function. Will this thrust continue; will it grow? Again, our best guess is that it will, and we conclude the argument of this treatise by reference to data which may be used to buttress this thrust.¹³

E. Reinforcers of the Change

Practitioners and social scientists alike are familiar with the ad hoc relationship between social science data and public policy: data are less often used to bring about policy change than they are used to legitimate policy changes which are desired in any case. The changes we are predicting for the juvenile bureau could be reinforced or even accelerated if relevant

social science data existed that could serve this legitimation function. We find that an accumulation of such data is available; as these data become more widely known, we have no doubt that they will be so employed.

1. Seriousness Progression: The assumption that juveniles generally progress from less serious to more serious offenses during their delinquent careers is not supported (McEachern and Bauzer, 1967; Klein, 1971; Hamparian et al., 1978). Thus the prevention function as an integral aspect of juvenile operations is not supported; early intervention will not affect trends to serious forms of delinquency.

2. Special Nature of Status Offenders: Despite the common assumption that status and delinquent offenders are often different kinds of juveniles, and despite federal and state codes which both assume the distinction and require different procedures for the two categories, the evidence favors no such separation (Thomas, 1976; Rojek, 1978; Erickson, 1979; Kobrin and Klein, 1980). There is little data support for retaining juvenile bureau functions relating specifically to status offenders as a category of persons. This in turn reinforces the direction of dealing with incidents or crimes, rather than with persons; i.e., justification for the more traditional crime investigation function is implied.

3. Hard-Core Offenders: There is very good support for the existence of a relatively small proportion of juvenile offenders who contribute a very disproportionately large number of delinquent offenses (Rector, 1979; Wolfgang et al., 1972). Police have noted the same phenomenon independently of the criminologists. This suggests very strongly that intelligence, surveillance and investigation--traditional, core police activities--can maximize the value

of juvenile operations if they are concentrated on this small group of delinquent youth.

4. Effects of Incarceration: Much to the consternation of liberals in the criminal justice arena, there is now good evidence that incarceration can have a suppressive effect on recidivism (Empey and Erickson, 1972; Empey and Lubeck, 1971; Murray et al., 1979). There is support here for juvenile officers' concentrating on those cases most likely to result in jail time; these are, of course, the more serious cases which in turn are those calling for greater investigative skills.

5. Treatment Effects: With almost unflinching consistency, careful studies and reviews provide little support for the efficacy of early intervention (McCord, 1978), counseling (Romig, 1978), diversion (Klein, 1979), or deinstitutionalization (Kobrin and Klein, 1980) of status or minor offenders. Thus, juvenile bureaus emphasizing program functions of prevention and community treatment will be hard-pressed to justify those functions as having eventual pay off in delinquency or crime prevention. By the same token, concerns for stigmatization of juvenile offenders resulting from system processing seem most justified with respect to young, Anglo, middle-class, first offenders (Elliott, 1978; Elliott et al., 1976; Klein, 1978), but not among those who are arrested in higher proportions for more serious offenses; older, Black or Hispanic, lower class, multiple offenders. These latter, again, call for more investigative time.

What we have presented in these five brief data summaries are arguments which can be used to reinforce the investigative thrust we are predicting. We are not saying that they should be so used; counter-arguments can be launched, perhaps based less on the data themselves than on their interpretation

or their ethical implications. But where reliable data exist, they are "fair game" for utilization. We predict the use of the data above to buttress the arguments in favor of the changes in bureau function we have discussed.

It should be noted, however, that there are data of a contrary sort. For instance, juveniles arrested for more than one offense are likely, with succeeding offenses, to be arrested at increasingly higher rates and over shorter periods of time (Robin, 1967; Klein, 1971; Wolfgang et al., 1972). This would seem to justify prevention efforts. Evidence for discernible patterns of delinquency (which would therefore provide clues for skillful investigation) is almost totally absent (a forthcoming paper by Klein cites over 30 studies, all but two failing to reveal patterned delinquency). Recent reviews also suggest the futility of early negative sanctioning of delinquents by the police (Hamparian et al., 1978, pg. 78; Klein, 1980). Investigative efforts, which increases the time between offense and sanction, defeat fundamental principals of effective punishment and deterrence. The beat cop, acting quickly and on his own, is in a better position to deter future undersired behavior.

We mention these latter items of data to assert a necessary balance. Not all data, and certainly not all their implications, can be marshalled to support a reduction in screening and program functions of juvenile bureaus. Further, data bases keep changing, such that today's predominant direction may not be tomorrow's.

But for those predicting change in bureau function, the best available data seem to support both the likelihood of change and its direction toward the more traditional investigative activities. And since social changes and departmental values seem to argue for the same direction, we assume that the

data we have summarized will be utilized to justify the policies already implied. As noted by The Police Foundation report,

The organization of a police department to handle juveniles is a local matter. Because the juvenile unit does nothing which cannot be handled elsewhere in the department or justice system, whether or not to have a unit, and what duties to assign to it, is an administrative decision for each police chief which involves a host of local department and system variables. (Rovner-Pieczenik, 1978, pp. 168-169).

FOOTNOTES

1. The authors acknowledge with pleasure helpful contributions to our discussions from Steven Duncan, formerly the Director of the Delinquency Control Institute, University of Southern California. The manuscript has benefited from critical readings by Lt. James Cook of the Los Angeles Sheriff's Department, Dr. Robert Carter, and forty peace officers in the 70th class of the Delinquency Control Institute, University of Southern California.
2. That one must still "guess" is indeed unfortunate, but a recent extensive review of the literature draws this conclusion: "The literature which focuses on these issues is relatively sparse and of limited value in understanding the operation of police juvenile units. Imprecise and varying definitions results in the spurious aggregation of findings among different studies. The lack of monitoring and evaluation of juvenile units results in the absence of empirically-based data on which to assess the effectiveness or efficiency of police juvenile operations. The descriptive material which exists is relatively poor in terms of explaining police activities and decisions" (Rovner-Pieczenik, 1977).
3. Many terms are used: juvenile unit, prevention bureau, juvenile aid bureau, etc. Our term is meant to refer to the entire set.
4. While this paper is not a presentation of empirical findings, it is empirically based. The senior author has viewed juvenile bureaus in operation for almost 20 years. Both authors have been involved in focused observation and interviews with bureau personnel over the past several years leading to the current discussion.

5. Still, even if we are correct (or at least convincing), it would be well to remember that change is cyclical, since each reaction tends to be an over-reaction to a prior change. Change begets change; the pendulum swings in two directions; what we predict for the 1980s may lay the foundation for predicting the opposite in the 1990s.
6. See LaMar T. Empey (1978) for a broader discussion of the ideology of childhood and the reflection of this ideology in the juvenile justice system.
7. This comment is excerpted from an earlier statement (Klein, 1979). The interested reader may refer to that paper for a summary of trends, assumptions, and data relevant to factors affecting American juvenile justice.
8. See, for example, California's Emancipation of Minors Act, effective January 1, 1979.
9. The low status of juvenile matters is also reflected in the academic disciplines related to enforcement. As an example, a recent major review of changing conceptions of the police role (Rumbaut and Bittner, 1979) totally ignores functions associated with juvenile matters. Of over 60 references, not one pertains to juvenile operations.
10. The following paragraphs on this duality are excerpted from an earlier paper (Klein, 1979).
11. This more systematic development is well symbolized by Rubin's new treatise (1978). Chapter one deals separately with serious and repeat offenders while chapter two covers the category of status offenders. With respect to the former, Rubin notes an increase in statutes facilitating the remanding of juveniles to adult courts and the lowering of

- the age for adult court eligibility. He also documents an increase in the number of juvenile cases being sent to adult courts and harsher institutionalization statutes in several states.
- Readers may also be interested in Rubin's comments on the increasing trend to place status offenders in the dependent category and his review of arguments for and against removing them altogether from juvenile court jurisdiction.
12. In one department, the name for the truancy sweep is obviously chosen to emphasize this legitimacy; it is called "Directed Deterrent Patrol."
 13. Juvenile officers still in favor of retaining all three functional components of juvenile bureaus are quick to point out a number of drawbacks to the separation of investigative activities. (a) Placing juvenile investigations with the detectives will decrease accessibility to knowledge of youngsters known to juvenile officers, since investigators will be unlikely to seek juvenile officers' knowledge in most cases. This amounts to a loss of case intelligence. (b) The investigator's caseload is typically high. Juvenile matters will be given lower priority than adult, and therefore result in fewer convictions and less remedial attention to juvenile offenders. (c) Emphasis on clearance rates among adult investigators will lead to lower levels of follow-up on juvenile cases, since achieving case clearance will be seen as the end-point of case activity. (d) The use of juvenile officers as a resource for field officers during criminal investigation will be reduced, as the latter turn more to the investigators.
- The effect of all this on various performance measures is an empirical matter too complex to be covered in this paper. Hopefully, future research on these trends will address the critical issues of efficiency and effectiveness.*

REFERENCES

- Susan Hirsch Bloomberg, "The Household and the Family: The Effect of Industrialization on Skilled Workers in Newark, 1840-1860," Paper presented at the 1974 meetings of the Organization of American Historians, Denver.
- John Demos and Virginia Demos, "Adolescence in Historical Perspective," *Journal of Marriage and the Family* 35(1969):632-638.
- Edward Eldefonso, *Law Enforcement and the Youthful Offender: Juvenile Procedures* (New York: John Wiley and Sons, 1967).
- Delbert S. Elliott, *Diversion: A Study of Alternative Processing Practices* (Boulder, Col.: Behavioral Research Institute, 1978).
- Delbert S. Elliott, F. Blaychard, and F.W. Dunford, *The Long and Short Term Impact of Diversion Programs* (Boulder, Col.: Behavioral Research Institute, 1976).
- LaMar T. Empey, *American Delinquency: Its Meaning and Construction* (Homewood, Ill.: Dorsey Press, 1978).
- LaMar T. Empey and Maynard L. Erickson, *The Provo Experiment: Evaluating Community Control of Delinquency* (Lexington, Mass: D.C. Heath/Lexington Books, 1972).
- LaMar T. Empey and Steven G. Lubeck, *The Silverlake Experiment* (Chicago: Aldine, 1971).
- Maynard L. Erickson, "Some Empirical Questions Concerning the Current Revolution in Juvenile Justice," in *The Future of Childhood and Juvenile Justice*, ed. LaMar T. Empey (Charlottesville, VA: University of Virginia Press, 1979).
- Robert E. Grinder, "The Concept of Adolescence in the Genetic Psychology of G. Stanley Hall," in *Studies in Adolescence*, ed. Robert E. Grinder (New York, MacMillan, 1975).
- Donna Martin Hamparian, Richard Schuster, Simon Dinitz, and John P. Conrad, *The Violent Few: A Study of Dangerous Juvenile Offenders* (Lexington, Mass.: D.C. Heath/Lexington Books, 1978).
- Michael B. Katz, *The People of Hamilton Canada West: Family and Class in the Mid-Nineteenth-Century City* (Cambridge, Mass., Harvard University Press, 1975).
- John P. Kenny and Dan G. Pursuit, *Police Work With Juveniles and the Administration of Juvenile Justice* (Springfield, Ill: Charles C. Thomas, 1970).
- Malcolm W. Klein, *A Judicious Slap on the Wrist: Thoughts on Early Sanctions for Juvenile Offenders* (Washington, D.C.: National Research Council/National Academy of Sciences, 1980).
- Malcolm W. Klein, *American Juvenile Justice: Trends, Assumptions, and Data* (Los Angeles, Regional Institute in Law and Mental Health, University of Southern California, 1979).
- Malcolm W. Klein, *Diversion as Operationalization of Labeling Theory: A Final Report* (Los Angeles: Social Science Research Institute, University of Southern California, 1978).
- Malcolm W. Klein, *Street Gangs and Street Workers* (Englewood Cliffs, N.J.: Prentice-Hall, 1971).
- Richard W. Kobetz, *The Police Role and Juvenile Justice* (Gaithersburg, MD: International Association of Chiefs of Police, 1971).
- Solomon Kobrin and Malcolm W. Klein, *Final Report: National Evaluation of the Program for the Deinstitutionalization of Status Offenders* (Los Angeles, Social Science Research Institute, University of Southern California, 1980).
- Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago, University of Chicago Press, 1970).
- Barbara Laslett, "The Family as a Public and Private Institution: An Historical Perspective," *Journal of Marriage and the Family* 35 (1973): 480-494.
- Margaret A. Little and Barbara Laslett, "Adolescence in Historical Perspective: The Decline of Boarding in the 19th Century in Los Angeles," paper presented at the 1977 meetings of the American Sociological Assn., Chicago.
- Joan McCord, "A Thirty-year Follow-up of Treatment Effects," *American Psychologist* (1978); 284-289.
- A.W. McEachern and Riva Bauzer, "Factors Related to Disposition in Juvenile Police Contacts," in *Juvenile Gangs in Context: Theory, Research, and Action*, ed. Malcolm W. Klein (Englewood Cliffs, N.J.: Prentice-Hall, 1967).
- Charles A. Murray and Louis A. Cox, Jr., *Beyond Probation: Juvenile Corrections and the Chronic Delinquent* (Beverly Hills: Sage, 1979).
- National Advisory Committee on Criminal Justice Standards and Goals, *Juvenile Justice and Delinquency Prevention* (Washington, D.C.: U.S. Department of Justice, 1976).
- President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Juvenile Delinquency and Youth Crime* (Washington, D.C.: U.S. Government Printing Office, 1967).
- John M. Rector, cited in *L.E.A.A. Newsletter* 7:12 (Washington, D.C.: U.S. Department of Justice, 1979).
- Gerald D. Robin, "Gang Member Delinquency in Philadelphia," in *Juvenile Gangs in Context: Theory, Research, and Action*, ed. Malcolm W. Klein (Englewood Cliffs, N.J.: Prentice-Hall, 1967).

END