THE ROLE OF LOCAL LAW ENFORCEMENT AGENCIES
IN DEALING WITH JUVENILE DELINQUENCY

APPROVED:

[Signatures and titles]

Major Professor

Minor Professor

Director of the Department of Government

Dean of the Graduate School
THE ROLE OF LOCAL LAW ENFORCEMENT AGENCIES
IN DEALING WITH JUVENILE DELINQUENCY

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Harold Grady Beckham, B. S.

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FOREWORD

To deny the seriousness of juvenile delinquency in the United States today would be to ignore the headlines appearing from coast to coast each day involving juveniles. Quite often the offenses concerned are of the most serious nature.

Various studies have yielded many theories regarding the proper solutions of the juvenile delinquency problem. The variety of these theories is reminiscent of the tale of the blind men and the elephant in which each touched the beast at a different point and based his description of the animal on that portion of the anatomy contacted. In a like manner the problem of juvenile delinquency is ponderous and, if its solution is ever to be reached, all of the contributing factors must be identified and dealt with to the best of society's ability. This ability lies in the efficiency of the agencies whose function it is to contain, prevent, rehabilitate and otherwise contribute constructive services to the cause.

This study is aimed at the examination of one of society's principal tools used to combat juvenile delinquency -- the local law enforcement agency. Concentration on the local level is justified by the frequency with which local law enforcement agencies make contact with children. The
personal nature of this contact provides law officers with an excellent opportunity to work with juveniles in an effective manner. The degree to which law enforcement agencies use this advantage depends on many factors. A discussion of these factors and the manner in which they influence the participation of law enforcement agencies in juvenile work will constitute a large portion of this study.

The role of law enforcement agencies in dealing with the juvenile delinquency problem is vital to its solution. The majority of the difficulties which prevent the maximum effectiveness of such agencies is traceable to decadent philosophies which govern their basic structures and administration. Certain reforms are indicated if society is to receive the full benefits of its police powers in this area of social development.
CHAPTER I

THE HISTORICAL BACKGROUND

As colonial America grew, the necessity for law enforcement became more and more pressing. Early American colonists were not students of political science and their use of law enforcement officers was based on practical need more than political tradition. It was only natural that the early forms which developed would closely resemble those of England, although the departure in form and function began almost immediately. This was due at first to the uniqueness of the colonial situation and later to the general anti-British sentiment which impregnated the social and political thinking of the day. This change eventually expressed itself most emphatically in revolution and the launching of a new experiment in human relations.

The colonies clung to the Atlantic coast in an embryonic manner, drawing their cultural and political nurture from the Old World placenta. They mixed this culture liberally with their rich pioneer experiences which had developed into a sort of grass roots philosophy. This philosophy had a profound effect on the law enforcement agencies of the time. The significance of these new concepts of law enforcement can be ascertained by a brief comparison with their
English counterparts. During the medieval period, the prototypes from which our county law enforcement officers are derived were developed in England. The marshals who disciplined William's armies during the Conquest, evolved into the constables who were concerned with both military and civil violations of the law during the War of Roses. To assure vigorous enforcement of the laws controlling taxes and other measures beneficial to the crown, the Norman kings appointed sheriffs from the ranks of the nobility. Exploitation for personal profit soon relegated the office to a position of disrepute. The outrages perpetrated by the sheriffs, together with other abuses of regal origin, resulted in the signing of the Magna Charta.1

From this point began the decline in power of the offices of constable and sheriff. This was accomplished by the delegation of powers to the justices of the peace and well organized county and borough police. The decay was slow but sure. In 1856 the office of constable was eliminated by Parliament and the English sheriff of today is nothing but an empty, colorful shell which survives by sentiment rather than actual legal value.2

The American version of the sheriff and constable has so far survived in form if not in function. With the aid of

2Ibid., pp. 78-79.
the city marshals they represented the law on the Western frontier in a unique way. For the first time, they took an active part in the enforcement of the law. Strong testimony as to their effectiveness is found in the folklore of Western America. This system, however, proved inadequate in the administration of law enforcement on an urban scale. In the United States, urbanization was followed closely by problems of crime and juvenile delinquency which necessitated the development of night and day watches. These watches eventually grew into organized police forces, the first of which was established in New York City in the first half of the nineteenth century.\(^3\) These early police forces were characterized by political control and the lack of differentiation between the handling of juveniles and adults. The latter characteristic does not represent a violation of the policies of other social organizations but was concomitant with the general philosophy of all agencies who dealt with juvenile problems by legal authority.

The non-existence of constructive theory during this important period of basic organization has had regrettable consequences. Police forces have grown out of a pliable twig stage into a mature form which is experiencing difficulty in adapting itself to modern methods of dealing with juvenile delinquency. Some changes have been made to meet new demands.

The visible ones are the formulation of juvenile bureaus and the designation of special police to handle problems of delinquency. In some cases, measures have been taken in treatment and preventative activities such as the formulation of junior police and the provision of recreational facilities. The soundness of such measures in police functions has often been questioned. The invisible and perhaps the most important adjustments have taken place in the minds of law enforcement officers. The measurement of this factor alone would be difficult if not impossible. Some conclusions, however, may be reached as to the overall effectiveness of the combination.

Many examples of the severe punishment of juveniles are recorded in the history of English jurisprudence. Only a little more than a hundred years ago two boys, eleven and thirteen years old, were given a death sentence for stealing about seventeen shillings. A thirteen year old girl was sentenced to six months imprisonment for stealing a hat. It is obvious that the legal philosophy of the day placed great emphasis on the value of punishment. Little distinction can be discerned between the treatment of juveniles and adults who had committed similar crimes.

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5 Henry W. Thurston, Concerning Juvenile Delinquency (New York, 1942), p. 3.
There is some evidence that the Roman law, which divided minors into three groups on the basis of responsibility, was influential in England. Responsibility for unlawful acts began at the age of seven. Age was taken into consideration in setting punishment until a youth had reached his twenty-fifth birthday under the Roman law. Children between seven and puberty were not punished if the judge was of the opinion that they did not understand the nature of their acts. Children under seven years of age were not punished. The application of such an advanced concept of juvenile law evidently taxed the understanding natures of the English authorities, for such considerations were not extended to include misdemeanors as late as 1852. At this time records reveal such judicial decisions as the sentencing of two children, ages two and six, to a fine or imprisonment for "laying snares" to trap game.

The main progress that was made in juvenile justice through most of the nineteenth century lay in the recognition of age as a factor in determining the degree to which a child was able to understand the acts he committed. After such responsibility had been placed, there was little difference made between adult and juvenile punishments. All

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6Staff Research Report to the Texas Legislative Council on Juvenile Delinquency in Texas (Austin, 1954), pp. 4-5.
7Ralph S. Banay, Youth in Despair (New York, 1948), p. 4.
punishments were designed along lines of retribution and vengeance rather than rehabilitation.

Early American laws permitted capital punishment of juveniles for as many as sixteen different offenses. Physical punishment, rather than detention, dominated the treatment of juvenile delinquents until the beginning of the nineteenth century when humanitarian sentiment forced the abandonment of such measures in favor of commitment to jails. The conditions which prevailed in such institutions at that time offered little improvement in the situation on either a personal or general social plane. If children sent to such places were not criminally inclined to begin with, they had indeed entered the best school of antisocial arts available. They would more than likely emerge as finished products, prepared to take their places in the underworld.

The ultimate recognition of the evils of such practices launched a period of reform; the object of which has not been fully realized even today. The progress that has been made is great, but the obstacles which lie between the present position of our society and the achievement of its goals are entangled with problems involving the very foundations of its institutions. Among these is the administration of police powers.

In 1861, the mayor of Chicago was given power to appoint a commissioner to hear petty cases involving boys from six to seventeen years of age, with the alternative of
sending them to reform schools or placing them on probation. The quality of justice dispensed under this arrangement may not have been without flaw but there is no doubt that it was superior to previous methods. Regular judges assumed this function in 1867.9

The first full fledged juvenile court was established in Chicago in 1899. This was the father of juvenile courts not only for the United States but for the entire world.10 For the first time, children who violated any law or ordinance were defined as delinquent by law and were to be dealt with as wards of the court.11

It was at this point that law enforcement agencies were required to begin a reformation of basic philosophy and specific policy in dealing with juveniles. There was a lag between the formulation and adoption of these new concepts which has not yet been overcome.

In reviewing the development of the legal attitudes concerning juveniles, the role of early American law enforcement agencies is faint but not completely lacking in definition. It is reflected in the philosophies which governed the decisions of the court of that day. It can be safely


11Staff Research Report, op. cit., p. 9.
assumed that the sheriffs, constables, marshals and police, at best, did not exceed the efficiency of their fellow social agencies in the development of constructive philosophy concerning juvenile delinquency. Today they are found lagging behind. This would tend to imply that much the same condition existed at that time.

Of utmost importance in the consideration of juvenile delinquency in early America is the recognition of the rural mores which dominated and controlled society. The strength of family ties and the power of public opinion served to prevent much delinquency, and to keep from public attention much of that which was perpetrated. It was a rare thing for a rural child to become so uncontrollable that the law enforcement officers were needed to supplement parental authority. When such measures were necessary, a law enforcement officer was apt to apply methods not exactly conducive to the instilling of respect for the law in the young mind. This was due mainly to the fact that law officers worked mostly with adults and that they were concerned with the seriousness of the offense more than the personality of the offender.

Another factor which must be considered is the change in definition of juvenile delinquency. In the predominantly rural social structure of early America, the bounds within which a youth could move without serious breach of society's rules and regulations were broader than those encountered by children in the flowering urban areas. A rural youth could
steal a watermelon or put a rope on a neighbor's horse and ride it without permission and usually receive nothing more than a reprimand if he were caught. Acts of a no more serious nature were punished with vigor by town and city standards.

The control of juveniles became more and more a matter of public concern as the breakdown of healthy family influence increased in urban society. Matters were not helped by the great influx of immigrants, many of whom were from undesirable social situations. These and other degrading influences necessitated restrictions which served to contain crime and delinquency to a certain degree, but the resulting environment was naturally cramped. Children seeking relief from the drabness of their slum homes turned in desperation to activities which were unlawful. In doing so, they ran headlong into the police. Law enforcement agencies could not avoid the acceptance of the challenge presented by the development of juvenile delinquency. They were faced with an alternative of handling this problem correctly or dealing with it later in the form of adult crime. It was not their job alone, but it was obviously to their advantage to nip the problem in the bud wherever they could. The quest for an effective method of dealing with juvenile delinquency continues today. Many social changes have taken place through the years and, for the most part, they have complicated the
delinquency problem. An attempt will be made in the following chapter to present this problem as it currently appears in relation to contemporary police philosophy.
CHAPTER II

THE JUVENILE DELINQUENCY PROBLEM AND
POLICE PHILOSOPHY

Statistics are cold, inanimate things which, at best, are inadequate to portray the picture of human waste and suffering that is connected with juvenile delinquency. Each number represents not only a child in trouble, but a bad social situation involving persons who have contributed to delinquency. Also to be considered are those persons who are innocent victims of the destruction and personal injury which is frequently involved. Statistics do, however, aid in the detection of trends which may serve to point out the effectiveness of society's efforts to deal with the problem and to suggest alterations where the need for them is indicated.

For the purposes of this study, emphasis is placed on those statistics which will present an overall view of juvenile delinquency in the United States.

The upper age limits of juveniles fixed by the several states, territories, and the District of Columbia, do not in any case exceed twenty-one. Arkansas and California apply this maximum age to both sexes. Wyoming girls fall within this bracket also. The youngest maximum age, thirteen, is
used only by Mississippi. The most common maximum age applied to both sexes is eighteen. It is used by twenty-four states. Six states use sixteen as the top age and six more use seventeen. The remaining nine states employ combinations of these ages, differing by sex in some and locality in others. The federal government has established eighteen as the maximum juvenile age.¹

Delinquency and crime have not followed a set pattern with regard to age and law breaking. Inefficient methods of reporting these acts prior to 1948 render the picture incomplete, but enough randomization is present to give validity to general statements. During the period from 1940 to 1951 the predominating age groups of persons arrested varied considerably.² This variation is illustrated in Table I.

**TABLE I**

**PREDOMINATING AGE GROUPS OF PERSONS ARRESTED FROM 1940 TO 1951**

<table>
<thead>
<tr>
<th>Years</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>1940-1941</td>
<td>19</td>
</tr>
<tr>
<td>1942-1943</td>
<td>18</td>
</tr>
<tr>
<td>1944-1945</td>
<td>17</td>
</tr>
<tr>
<td>1946-1950</td>
<td>21</td>
</tr>
<tr>
<td>1951</td>
<td>23</td>
</tr>
</tbody>
</table>

This fluctuation of age group predomination reflects the effects of World War II when great numbers of boys in

¹Staff Research Report, op. cit., pp. 29-31.

their late teens were taken into the armed forces. The younger boys were left to predominate in a world of relaxed morals and strained home relations. They were tempted to have a last fling before they too were drafted. The girls were also swept along in the tide of juvenile delinquency which raged during the war years.

Although there was a great recession in juvenile delinquency from 1945 to 1948, there was an increase in serious crimes committed by persons under twenty-one years of age. This indicates that the juvenile delinquents of the war years were graduating to adult crime. Arrests of persons for serious crimes in this age group from 1945 to 1949 are indicated in Table II.

<table>
<thead>
<tr>
<th>Crime</th>
<th>Per Cent of Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assaulting</td>
<td>10.3</td>
</tr>
<tr>
<td>Burglary</td>
<td>20.1</td>
</tr>
<tr>
<td>Rape</td>
<td>42.6</td>
</tr>
<tr>
<td>Robbery</td>
<td>11.0</td>
</tr>
</tbody>
</table>

*Source: Excerpt from an answer to questions asked John Edgar Hoover by Senator Estes Kefauver, August, 1950.*

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The figures given in Table II represent an absolute increase in the crimes indicated. The population factor, which might be suspected of affecting such a rise in crime, remained rather steady.4

The United States Department of Health, Education and Welfare reported an increase of 29 per cent in incidences of juvenile delinquency between 1949 and 1952. Juvenile population between the ages of ten and seventeen for the corresponding period increased only 6 per cent.5 During the first half of 1952 more serious crimes were committed by juveniles under eighteen than by persons of any other age.6

Thus began the current period of rise in juvenile delinquency. Between 1952 and 1953 juveniles appearing before courts increased 13 per cent, attaining an all time high of 435,000 children. This topped the World War II record of 400,000 juvenile court delinquency cases. Again the population had not increased in proportion to delinquency. The 1952 population was just slightly above that of 1940. A startling ratio between adult and juvenile offenses occurred in 1953. The crime rate for adults increased 1.9 per cent, but for juveniles there was an increase of 7.9 per cent.7

4Staff Research Report, op. cit., p. 43.
5Kvaraceus, op. cit., p. 7.
A comparison of the increase of juvenile delinquency during World War II and the Korean War would seem to lead to the conclusion that world tensions affect juveniles in a way which causes them to react in a delinquent manner. The drop in delinquency just after World War II seems to bear this thesis out. The absence of such a period of relaxation after the Korean War was accompanied by the continuance of the "cold war" and an extremely delicate international situation. If this is true, there can be no hope for a "normal" recession in juvenile delinquency as long as the international situation does not improve.

An even more alarming condition is forecast in the population increase which will occur shortly in the ten to seventeen age group. By 1960 they will have increased 50 per cent over the 1953 figure. Even if the per capita delinquency rate were to remain the same, the overall delinquency rate can be expected to increase 50 per cent over the 1953 mark.

Statistics since 1953 affirm the serious degree to which juveniles are becoming involved in major offenses. The Federal Bureau of Investigation, using data obtained from 1,389 cities with a total population of 38,642,183, determined that over 51 per cent of persons arrested for crimes against property in 1954 were less than twenty-one years old. This group accounted for 18.7 per cent of robbery arrests, 43.6

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8Staff Research Report, op. cit., p. 43.
per cent of larceny arrests, 49 per cent of burglary arrests and 57.6 per cent of persons arrested for auto theft. Of this group 9.7 per cent were seventeen or less. A total of 269,631 male and female juveniles were taken into custody. This constituted 16 per cent of all arrests during 1954.9

The Senate Subcommittee investigating juvenile delinquency in 1954 reported that children between ten years and seventeen years of age were being picked up by the police at the rate of 2,700 daily, and predicted that in 1960 at least 750,000 boys and girls will go through juvenile courts.10

This briefly is the situation which prevails today in the United States. It poses a great threat to the welfare of not only the juvenile population but of the nation as a whole. It is not up to any one agency to provide the solution to this problem. Each agency has a particular function for which it was designed, and it is restricted to the means provided within its structure as to the role it will assume in dealing with the juvenile delinquency problem. A need for the cooperation of all agencies concerned is indicated by the statistics given above. At this point it is of value to ascertain the extent to which law enforcement agencies are currently participating in juvenile delinquency work.


In 1951, the police contacted at least 1,000,000 juveniles with regard to delinquent behavior. Two hundred fifty thousand of these were referred by the police to juvenile courts for official action. An additional 100,000 were referred to the juvenile courts by parents, teachers, social agencies, and others. The police dealt directly with 750,000 of these children. Of the 350,000 referred to the juvenile courts, about 175,000 were dismissed, adjusted, or held open without further action. About 95,000 of them were placed on probation and 40,000 others were committed to training schools. The remaining 40,000 were referred to social agencies or handled by other means. 11

Even with the apprehension of this many juveniles, a survey in a large eastern city has revealed that almost one third of the serious acts of delinquency committed by boys and girls were unknown to the police. 12

Between 1948 and 1951 the number of children reporting before juvenile courts increased 17 per cent in jurisdictions above 100,000 population. In those below this population, the increase was 29 per cent. A definite trend toward increased rural delinquency is indicated here. This is important in the consideration of rural law enforcement agencies which will be discussed in Chapter III.

12 Ibid., pp. 1-2.
The median rate of referral to juvenile courts by 402 police departments studied in 1952 was 22.3 per 100 juvenile offenders known to the police. Departments with juvenile specialists referred 18 out of every 100 offenders, while those without referred 27 per 100.\textsuperscript{13} A marked difference is seen here between the actions taken by departments having special juvenile police and those not having them. It expresses self-confidence and optimism on the part of those forces possessing the specialists. Only an extensive study could determine the relative results of the policies of these specific departments. The general attitudes of the two are reflected in the fact that two out of three of the departments with special juvenile officers were represented on community planning councils. Only one out of three of those without such personnel were represented on councils.\textsuperscript{14}

The number of juveniles contacted by the police in 1952 was again about 1,000,000. Juvenile court referrals increased to 385,000 of which 40,000 were committed to training schools.\textsuperscript{15}

Juveniles contacted by the police in 1953 numbered an estimated 1,250,000, which represents an increase of a quarter of a million over the previous year and exceeds the all time high during World War II. Four hundred thirty-five thousand children appeared before juvenile courts in 1953.

\textsuperscript{13}\textit{Staff Research Report, op. cit.}, p. 71. \textsuperscript{14}\textit{Ibid.}, p. 72.

\textsuperscript{15}Smith, \textit{op. cit.}, p. 3.
This is an increase of 50,000 over 1952. It is estimated that 1,700,000 juveniles will come to the attention of the police by 1960.16

The numerical extent to which the police are concerned with juvenile delinquency is presented, to a limited degree, in the statistics given above. It is obvious that most juvenile delinquents pass through the influence of the police. At this point the purpose of this paper becomes more significant, in that the law enforcement agencies, more than any other, have intimate contact with large numbers of children engaged in delinquent activities. Were their actions restricted to the apprehension of these law breakers, there would be no need for further study. However, in dealing with juveniles, the police exercise the semi-judicial power of referral and in some cases they exercise the absolute judicial power of deciding guilt or innocence. The potential of such powers was one of the chief motivations for the initiation of this study. At the local level, the police appear to be in a prime position to work effectively with the problem of juvenile delinquency. With an open field in which to run there is a great opportunity to develop sound methods and philosophies for dealing with juvenile delinquents. Law enforcement officers are in an excellent position to observe juvenile delinquency in all the stages of

its development, while other agencies tend to be associated only with advanced delinquency.

A question arises at this point. Should such important decisions, which are obviously judicial in nature, be permitted to be made by anyone other than a juvenile judge? There are several reasons for an affirmative answer:

1. Police agencies are expedient and informal in their work with juveniles.

2. By handling most of the minor offenses themselves, the police relieve other agencies for work with more serious cases.

3. Police officers are more likely to be familiar with the personalities and environments of individuals found to be engaged in delinquent behavior.

4. Police officers who exercise wisdom and understanding in handling children promote respect for the law.

5. Law enforcement agencies have a legitimate interest in the guidance of children who could possibly become adult criminals.

6. The judicial functions of courts are traditionally connected closely with punitive measures, while the judicial functions exercised by the police are strictly preventative and rehabilitative in nature.

In some instances, law enforcement agencies that have set up facilities for the supervision of juveniles have
drawn a great deal of criticism. The main points upon which these objections are based are as follows:

1. Police officers are not selected nor trained for case work.
2. Adequate treatment requires skill not possessed by policemen.
3. The police should apprehend, screen and refer but not launch treatment programs of their own.
4. The police should work with agencies to gain treatment facilities.
5. Police supervision would duplicate other services and would be wasteful of the tax payer's money.
6. Police departments are not ideal settings for carrying out such programs.¹⁷

The police have generally undertaken such programs only when no services were offered by other agencies. New York, Chicago and other large urban centers were the scenes of some of these attempts by the police to provide constructive environments for children. For the most part their effects were positive, and the programs were relinquished to agencies created specifically for their continuance.

Similar criticism has been leveled at the large part played by law enforcement officers in the disposition of juvenile delinquency cases. The bulk of the attack has been centered on the challenging of the abilities of the agencies in general and the individual officers in particular. The degree of validity of their accusations can be ascertained best by an examination of the internal workings of our law

enforcement agencies. In doing so, the differentiations which are present in society, as movement from extreme rural environments to extreme urban environments is accomplished, must be considered. As forms in these agencies change, so do forms in delinquency. For this reason care must be taken to avoid the examination of rural agencies by urban standards and vice versa. This becomes increasingly difficult as the tendency for rural areas to urbanize progresses.

Most cases handled by the police are disposed of by release of the child to the parents without referral to any other agency.\(^{18}\) This is true mainly because of the non-existence of such agencies in most communities. Lack of cooperation is common where they do exist. Many times the police fail to understand the real methods and functions of such organizations. Captain John F. Ryan, head of the police juvenile bureau in Washington, D. C., illustrated this point very well during his testimony before the Hendrickson subcommittee when he said:

> The policeman and the sociologist are two different human beings. We don't like the same language. We don't think the same things . . . . This is a fact you will find as you go around the cities of America.\(^{19}\)

This statement also hints at the existence of major differences in philosophy concerning the handling of juveniles.

\(^{18}\) Police Services, op. cit., p. 21.

\(^{19}\) Platform, op. cit., p. 16.
by the police. These differences are very real and contribute greatly to the misunderstandings which exist between the police and sociologists. The most extreme stand taken by the police on juvenile delinquency policy was expressed by magazine writer Howard Whitman on a Town Meeting radio broadcast on September 21, 1954. He said:

The fashion has been to administer not even a slap on the wrist, but a pat on the head, and to turn a youngster out, not with any sense of social responsibility, but with a confirmation that he has the right to do as he pleases and the rights of others to be damned.20

The sociologists in return accuse the police of applying the same harsh methods to children as they utilize in dealing with hardened criminals. They maintain that there is a clash between regular police routine and the rehabilitative type treatment that should be used with juveniles.21 This challenge provokes the further examination of the philosophies of law enforcement agencies.

Although an abundance of really good programs has not yet been developed, it seems evident that measures beyond the elementary ones performed by police agencies in handling juvenile delinquency can be of benefit if they are wisely planned and executed. Their success or failure depends, in part, on the principles and techniques included in individual

20 Platform, op. cit., p. 16.

programs. As a beginning, the United States Department of Health, Education and Welfare advocates some training with juveniles for all police officers. It also stresses the need for all officers to understand the objectives and methods of special juvenile officers and units, so that they may be able to cooperate fully when contact is made with juveniles. Inservice and recruit training should include these subjects:

... laws relating to children; the philosophy of rehabilitation for delinquent youth; organization and duties for the juvenile control unit; responsibility of individual officers and other units in cooperating with the juvenile control unit; and the relationship of police work to work done by other agencies in the treatment program for delinquent youth.22

In the training of special officers, only the very large cities are presently concerned, but the trend is toward the creation of more special units and officers. Certain alterations in basic police concepts must take place before the majority of juveniles may benefit from specialization. Before this can be accomplished a general understanding must be developed among law enforcement officers, judges, probation officers, social workers, lawyers and public health and welfare administrators and the general public, as to the advantages of such alterations. When popular support is gained and the necessary changes are effected, training programs must be developed. The curriculums of these programs may well include the following subjects:

22Police Services, op. cit., p. 42.
1. Philosophy of police work with juveniles
2. Laws pertaining to juveniles
3. Conditioning factors in juvenile delinquency
4. Duties of a juvenile control unit
5. Intra-departmental relationship between the juvenile control unit and other police units and personnel
6. Interviewing
7. Screening process
8. Dispositions
9. Knowledge and use of community resources
10. Records
11. Developing good relationships with related agencies and the public
12. Preventing delinquency through community organization.

Although authorities are not in complete agreement as to the uses of the techniques included in this program, a rapid development of workable methods should accompany extensive application, experimentation, and reporting. A more scientific approach will, no doubt, yield much better results.

As has been previously noted, there is a definite chasm separating the view points of police authorities and sociologists. The philosophies of these factions stand in opposition to one another mainly because conditions have not existed in abundance in which compromises could be formed and tried. As a result, the police have, in the main, relied on their traditional methods of dealing with criminals to guide their policies in handling juvenile delinquents. Meanwhile, the sociologists have remained academically aloof, refusing to recognize any value in the seemingly indelicate police practices. Experiments in a few places (California in

23 Ibid., pp. 42-43.
particular) and common reason suggest the seeking of middle ground upon which constructive solutions may be reached.

The need for extensive revision on the local level has been recognized by the federal government. In 1954, Congress appropriated $75,000 specifically for the expansion of Children's Bureau activities in juvenile delinquency. A special division was established to provide technical assistance to states and communities for the extension, improvement and coordination of state and local services, and facilities required for the location, treatment and rehabilitation of delinquent youth, and the training of personnel for these services.24

The Juvenile Delinquency Division of the Children's Bureau is ready to assist in the following improvements:

1. One specifically trained officer for each segment of 20,000 population
2. Specialized juvenile divisions in larger cities
3. Expert physical and psychological examinations available in all areas
4. All courts with probation officers
5. Good detention facilities
6. Juvenile court laws as recommended by the National Probation and Parole Association and the National Convention of Juvenile Court Judges
7. Training schools focused on the needs of individual children and offering complete educational programs, physical and mental health care, good recreation facilities, sufficient house parents (1 per 15 children) and effective follow up
8. At least one special juvenile institution for the mentally disturbed

24 Social Legislation, op. cit., p. 141.
9. State and community mechanisms for coordination and cooperation
10. Community and state comprehensive reports.25

All of these fields affect law enforcement agencies either directly or indirectly in carrying out their roles in dealing with juvenile delinquency. Of more importance, is the effect of law enforcement agencies on the attainment of these noble goals. As a chain is no stronger than its weakest link, so depends the strength and workability of even the most ingenious device for dealing with juvenile delinquency on the individual units of its composition. The strategic position of law enforcement agencies in this work must be recognized if overall progress is to be made.

The police and sociologists have come more nearly to agreement at top level conferences and conventions than through any other medium. It must be emphasized that usually only the largest departments, which traditionally entertain the most progressive ideas, are represented at most of these meetings. Agreements on principles are rarely unanimous, and the degree to which they are put to use at home is questionable. They do represent a sort of goal toward which plans may be directed, and they may serve to point out more clearly the barriers which prohibit their immediate realization.

With these limitations in mind, the following outline may be of value in comprehending police policy for working with juveniles. It represents the major philosophical points on the police role in juvenile delinquency problems as they emerged from the conference held in East Lansing, Michigan, in August of 1953. The conference was sponsored by the Children's Bureau in cooperation with the International Association of Chiefs of Police.

An Outline of the Main Points of Police Policy for Dealing With Juvenile Delinquents

I. Investigation

A. Investigation of offenses

1. All juvenile offenses should be thoroughly and completely investigated if possible.
2. Investigation techniques will be those taught in the best police academies.
3. Information about the child himself should be secured in addition to incriminating evidence.

B. Additional social information

1. The amount necessary depends on the seriousness of the offense.
2. It should not be gathered if there is reasonable doubt that the child is guilty.
3. Both positive and negative factors should be noted in studying environmental factors.

C. Factors in total investigation

1. Facts of the offense, including all details necessary to sustain a petition in court
2. Record of any previous police action
3. Record of any previous court or social agency action
4. Attitudes of the child, his parents, and the complainant in the offense toward the act
3. Adjustment of the child in home, school and community.

D. Interviewing

1. The most important means for carrying out investigation
2. Chief aim is to learn as much as possible about the facts of the offense and, when appropriate, about the child
3. Methods should vary with the age of the child.
4. Behavior for interviewer to avoid:
   a. Using profanity or obscenity
   b. Branding children with such names as "thief," "liar," or "tramp"
   c. Losing temper
   d. Telling falsehoods
   e. Using physical force
   f. Making promises that cannot be kept
5. Tact and patience should be used
6. Simple language is best
7. Child should be encouraged to talk freely, as other offenses may be accounted for
8. Child should be made to feel that officer wants to help.

E. Setting for interview

1. Younger children should be interviewed in homes
2. Privacy, so that there will be no interruptions
3. Proper light and temperature for comfort
4. Simple furnishings, not distracting
5. Provision made for satisfying child's needs for food, drink, or clothing, etc. before the interview
6. Parents should be present.

F. Uniforms and marked automobiles

1. Plain clothes and cars should be used when possible to avoid publicity and identification with law violation
2. Parents may be assigned to escort child to court to avoid publicity.

II. Detention

A. When to use and not to use facilities

1. When necessary to protect welfare of juvenile, protect the community or guarantee the appearance of the child and family in court
2. Should not be used for punishment or convenience of the authorities
3. Should not be used just because child comes from a bad home.

B. Other considerations

1. Policies for detention should be understood by all officers
2. Juvenile court and child's parents should be notified immediately when a child is placed in detention
3. School authorities should be notified
4. Jails should not be used for detention purposes
5. Police officers should be permitted to talk with juveniles in detention in order to clear up aspects of case.

III. Police Disposition

A. Valid reasons for referral to the juvenile court

1. The particular offense committed by the child is of a serious nature
2. The child is known or in the past has been known to the juvenile court
3. The child has a record of repeated delinquency extending over a period of time
4. The child and his parents have shown themselves unable or unwilling to cooperate with agencies of a non-authoritative character
5. Casework with the child by a non-authoritative agency has failed in the past
6. Treatment services needed by the child can be obtained only through the court and its probation department
7. The child denies the offense and the officer believes judicial determination is called for, and there is sufficient evidence to warrant referral or the officer believes that the child and his family are in need of aid.

B. Referral policy items which require agreement between the juvenile court and the police department

1. Facts of the offense which give the juvenile court jurisdiction over the case and personal data about the juvenile
2. Information about any codefendant or the complainant, including a statement regarding injuries or damages
3. Any reasons for requesting juvenile court action other than or in addition to the specific offense
4. A brief summary of any significant factors revealed in the investigation.

C. Release to parents without referral

1. Generally speaking, delinquent's own home is the best place for him
2. Criteria which may be used for determining when to use this referral
   a. The offense is minor in nature, and there is no apparent need for treatment
   b. The child shows no habitual delinquency pattern
   c. The family situation is stable
   d. The relationship between the child and his parents is good
   e. The parents seem aware of the child's problems and able to cope with them
   f. Adequate help is being given by a public or voluntary agency in the community.

D. Release to parents with referral to non-authoritative treatment resources

1. Agencies to which children may be referred
   a. Family service agencies
   b. Child guidance clinics
   c. Mental hygiene clinics
   d. Public agencies serving families and children
   e. Visiting teacher services
   f. Church groups
   g. Recreational organizations
2. Methods by which referrals may be made
   a. By the police themselves, either by an individual officer or by a special referral unit
   b. Through the intake division of the probation department of the juvenile court
   c. By an information and referral division of the community welfare council or council of social agencies

IV. Records, Fingerprints, and Photographs

A. Records

1. Records are needed for the following purposes:
a. To provide information — for the police themselves, the court, and other interested agencies — on all police contacts, past and present, with a given juvenile
b. To define delinquency areas
c. To throw light on community conditions that may contribute to delinquency
d. For use in evaluation of a delinquency program.

2. Content and use of records
   a. Include complaint, clearance and booking entry
   b. Inspection limited to parents, attorneys and others with legitimate interests in the case
   c. Record of investigation
   d. Agreement amongst various agencies affected as to the use that may be made of the information.

B. Fingerprints and photographs

1. Rules to protect children when fingerprints are used
   a. Fingerprinting should be permitted only on the authorization of the juvenile court
   b. Authorization to be given only in the following types of situations:
      (1) The juvenile has been taken into custody as the suspect or known committer of a serious offense, such as robbery, rape, homicide, manslaughter, or burglary of serious consequences
      (2) The juvenile has a long history of delinquency, involving numerous violations of the law, and there is reasonable ground to assume that his pattern of behavior may continue
      (3) The juvenile is a runaway and refuses to reveal his identity
   c. If it is found by the police or the court that a juvenile who has been fingerprinted was not really involved in the case in question, all prints should be returned to the court for destruction
   d. If fingerprints are taken and filed in local, state or federal systems, they should be given a non-criminal status and maintained on a civil identification card, with no information that would disclose the reason or circumstances for which the prints were taken
   e. Photographs to be handled with similar precautions.
Many of these points are subjects of controversy not only between the police and sociologists, but among the various police departments themselves. Special difficulty was encountered at this particular conference in achieving agreement on interviewing techniques and the use of records and fingerprints.

The views of the Federal Bureau of Investigation on police policy for dealing with juvenile delinquents stress active participation on the local level. Among the items given special emphasis by this agency are swift detection and vigorous judicial action as a deterrent program. The authority to arrest, investigate, interview and detain individuals of any age, where there is legal justification, is also advocated. The Federal Bureau of Investigation recommends that law enforcement agencies take full advantage of all training facilities available. Police chiefs should feel justified in taking the leadership in spurring community organizations into action and, if necessary, to organize youth groups themselves. The maintenance of adequately staffed and supported juvenile bureaus is also urged by the FBI. An effective juvenile record system and means of referral are considered necessary to efficient operations. The FBI insists that police opinions should be sought concerning proposed legislation dealing with crime and delinquency prevention.26

26 *Statement on Crime*, op. cit., p. 3.
Although police philosophy differs greatly as to participation in extensive programs, there are basic responsibilities and requirements which must be met at all levels if juvenile problems are to be handled constructively. Each law officer has the responsibility of carrying out his official duties in a manner which will foster respect for the laws of society on the part of juveniles. Juveniles found engaged in delinquent activities must be scrutinized carefully in order to avoid misjudgements. Care must be taken not to allow dangerous delinquency to go untreated or superficial delinquency to receive undue attention which might result in the development of real antisocial attitudes. In making this type of decision, law enforcement officers assume great responsibility. High caliber personnel are needed for such important work. It would be a tragic mistake to place a child, who could be corrected in any other manner, among the fully developed juvenile delinquents found in most training schools.
CHAPTER III

RURAL POLICE AND JUVENILE DELINQUENCY

The most striking thing about the American police "system" is its "unsystematicness." Far from being a smoothly working machine with the precision and synchronization of a fine watch, it is a peculiar vehicle, composed of many strange looking gadgets. The functions of these gadgets, in many cases, overlap and duplicate one another. Some of them are shiny, while others are old and rusty. It is similar to an automobile which was so beloved by its owner that he tried to keep it in style by the addition of new devices rather than to trade it in for a new model. Most of the original attachments remain, but many have ceased to function. This analogy is particularly true with regard to the law enforcement agencies of local governments.

Although the United States is a relatively young nation, it was conceived and developed during an age of extremely rapid growth in material culture and technology. The cultural lag, which seems always to have been present in society, has become very marked. Conditions have changed from a time when it took ninety days to cross the American continent, to the present where jet planes can travel from coast to coast in a little more than three hours. This is extremely
rapid advancement in the field of transportation, but it is
symbolic of the general advancements which have been made
in material culture. In the face of such rapid progress, it seems odd that decadent law enforcement institutions,
which were designed to meet the needs of a "horse and
buggy" society, are still depended upon. The most recent
changes have been made in response to organized crime and
modern traffic hazards, but for the most part, they have
been in the form of the expansion of existing facilities
rather than inauguration of new ones.

The great variety of police units which appear at the
local level are due mainly to the many types of local govern-
ments which currently exist. Each community desires to keep
as much local control as possible, even if it means the main-
tenance of inadequate law enforcement agencies.

Looking at local police systems on a nationwide scale,
the county is the basic geographical division. There are
over three thousand counties in the United States.\textsuperscript{1} Since
the county boundaries were set up for convenience in reaching
court houses, it is a rare thing to find one in which popula-
tion density, geographic and social distribution, economic
resources, and the ability to support essential government
agencies are well balanced. For this reason, the validity of
the county as a unit for police purposes is very questionable.

\textsuperscript{1}Smith, \textit{op. cit.}, p. 23.
The sheriff-constable system has police jurisdiction over all counties except those few in which county police forces have been organized.

Within the counties, the police of 1,000 cities, over 20,000 townships and 15,000 villages, boroughs and incorporated towns, plus assorted private watches and detectives, operate a maze of law enforcement departments. There are about 40,000 separate and distinct law enforcement agencies in the United States, the vast majority of which is composed of one, two, or three men units employed on a part time basis.²

Our 3,053 counties average less than 40,000 population. Nearly one fourth of them has less than 10,000 inhabitants. Almost one third has from 10,000 to 20,000 population. Over one fourth has between 20,000 and 40,000 people. Four fifths of all counties have less than average population. The median is 17,000 and the largest group (543) has between 10,000 and 15,000 inhabitants.

Without a further breakdown at the county level, it becomes apparent that even on the basis of the consolidation of all police forces within county borders, only a few would have sufficient population and resources to maintain modern police units.

The fallacy of the county as a division for police purposes is illustrated clearly in Texas. Brewster County has

an area of 6,208 square miles. It is five times as large as Rhode Island, three times as large as Delaware, and 50 percent larger than Connecticut, yet it has a population of only 7,309 by the 1950 census. At the other extreme, Gregg County is only 284 square miles in area, but has a population of 61,258. Loving County is 647 square miles in area, but it has only 285 inhabitants.³

The general weakness of local law enforcement agencies implied thus far on the basis of numerical support would influence the effectiveness of such agencies in dealing with juvenile delinquency as far as adequate physical facilities are concerned. Adult crime in the same area probably suffers no less, for the implements used to apprehend criminals and juvenile delinquents are basically the same. The boundary dilemma suggests that, if anything resembling a modern police system is to be enjoyed by all citizens, a new concept of local control must be developed. Each boundary of police jurisdiction should encompass the population necessary to maintain no less than one complete modern law enforcement unit. A plan of this nature would be readily adaptable to areas of dense population, but would be weakened by the distance factor in sparsely populated sections.

An alternative solution is offered through the relinquishment of local control in favor of state police control.

This solution has been adopted by some areas where other methods have not worked. The issue which presents itself here, with relation to juvenile delinquency, is whether local police are of more value, due to their intimate knowledge of community conditions and personalities, than state police, who generally possess superior technological equipment and training. Actually, such a question should be resolved on the basis of conditions in individual localities, but there is enough universality among county law enforcement agencies to permit a certain amount of generalization on this subject. A little more light will be cast on this problem later in the chapter when the qualifications of rural law enforcement officers are discussed. Just now, it may be of value to note briefly some trends in rural juvenile delinquency.

In 1955, a Senate subcommittee reporting on an investigation, declared that juvenile delinquency has grown twice as fast in rural areas as it has in urban areas.4

Burglary increased 12.8 per cent in rural areas in 1954, as compared with a 6.7 per cent increase in cities. Larcenies in rural areas increased 9.9 per cent; in cities they increased only 4.8 per cent.5

Drug addicts are responsible for 50 per cent of all crimes committed in larger metropolitan areas and 25 per cent of all

reported crimes in the nation. Thirteen per cent of these people are less than twenty-one years old. It has been predicted that the intensification of police operations against big-time peddlers in large urban areas will drive them to rural communities, where police methods are not so thorough. Several instances have already been reported, one involving a school bus driver.6

Automobiles have made possible the overflow of juvenile delinquency from urban areas into surrounding rural communities. Juveniles living in desirable environments are only minutes away from bad urban influences. The distance barriers, which once separated urban and rural life so effectively, are becoming negligible. The chief of police of a small city, which lies within forty miles of two large urban centers, expressed the opinion that the automobile is the greatest single contributor to juvenile delinquency.

In effect, rural law enforcement officers will be called upon more and more to deal with big city problems. An inspection of presently existing conditions and standards among these agencies will aid in a prediction of their abilities to meet this challenge.

Anyone who undertakes the examination and criticism of the sheriff-constable system walks down a well beaten path. This system is just as highly vulnerable to criticism as it

6Washington Narcotics Newsletter (Washington, 1956). (These figures are considered excessive by most authorities.)
is resistant to change. Its weaknesses are not hidden from even the most casual observer, rather, they stare boldly back without apology. It will be necessary to discuss only those characteristics which bear on its role in dealing with juvenile delinquency.

The sheriff possesses the full powers of a police officer. They are given to him by the state in which he operates. He is authorized to delegate this power to any person whom he needs to assist him in carrying out his duties. The deputy sheriff receives his authority from the sheriff as does the posse comitatus. It is the sheriff’s job to apprehend criminals and to prevent crime. He is, therefore, directly responsible for the prevention of juvenile delinquency and the apprehension of juvenile law violators within his jurisdiction.

In carrying out this function, he is theoretically answerable to no one. The sheriff may pursue law breakers in any manner and with any degree of vigor he chooses. He therefore becomes a policy maker in the field of crime prevention and, of course, juvenile delinquency.

As a law enforcement agency, the office of sheriff is potentially very powerful. The extent of this power was demonstrated in Illinois in 1921 when a sheriff arrested the

governor. The sheriff may call on the governor for the aid of state troops.

Although the sheriff receives specific instructions from the court, he is not controlled by it. Under the system of separation of powers adopted in the United States, a judicial branch cannot control an executive office.

Given so much power, it would seem reasonable that the sheriff would be the most effective law enforcement officer in America, but such is not the case. The reasons for this are many.

The sheriff has not one, but many functions. Practically all county jails are run by the sheriff. He serves writs and processes for courts, and executes court decrees. He may also attend the court as a bailiff, assist at elections, collect taxes, and transport prisoners. The sheriff may not be found carrying out all these jobs in every county, but in many cases he does.

If for no other reason, such an extensive and varied work load would make it difficult to devote the time necessary to give adequate personal attention to juvenile problems.

11 Lancaster, op. cit., p. 189.
The automobile has been a great aid to the sheriff, but the vast area of his jurisdiction is still quite time consuming.

The matter of compensation also bears heavily on the formation of policy with regard to dealing with juvenile delinquency. Commercial motivation, which is so strongly connected with the sheriff's office, is a holdover from its ancient English traditions. The lucrative qualities which led the Norman nobles to buy the sheriff's office have, for the most part, vanished. In well populated counties, however, huge sums are collected by the sheriff. As much as $100,000 per year is collected in a few urban areas. These are exceptions, however, and the average salary is much more modest. In small rural areas, compensation starts at about $1,200 per year.¹²

The great evil which does harm to the crime prevention services of the county is not the amount of compensation received by sheriffs, but the manner in which it is paid to most of them. In by far the largest per cent of counties, the sheriff is paid by the fee system. He receives a fee for each service he renders. It is argued by some that this is a fair method of payment. They hold it compensates according to the work done, and that society gets its money's worth through the diligence which the sheriff is sure to exercise to assure himself a nice pay check. Rather than to

¹²Smith, op. cit., p. 83.
automatically place a bounty on the heads of law breakers, the designers of this method of compensation chose not to extend it to include the apprehension of criminals and juvenile delinquents in proportion to the task involved. One sheriff put it this way:

If I pursue a robber and, after much effort capture him, I receive only seventy-five cents from the county as an arrest fee. I get that much from one subpoena, from every jury summons and from every warrant. The amount which I receive from police work does not pay for the gasoline which I would use in the pursuit, to say nothing of the time my deputies use and which I must pay them for.\(^{13}\)

This is representative of the philosophy of thousands of sheriffs. The system, and not necessarily the man, is to be blamed for this attitude. There are few persons who would readily deny themselves bread and butter for the service of a society which condones a system which would force them to choose between the two.

A few counties have remedied this situation by the abolition of the fee system in favor of a fixed salary. These range between $4,000 and $15,000 per year in counties with large populations. In small counties, they range from $1,000 to $2,000. Salaries are set by state law in some cases. In Ohio, the salary is paid in proportion to county population.\(^{14}\)


\(^{14}\)Smith, op. cit., p. 83.
Additional compensations are sometimes awarded sheriffs in the form of food and lodging and interest on cash balances trusted to their care.\footnote{Ibid., pp. 32-33.}

Another means of fattening his pocketbook is afforded the sheriff by allowing him to keep the difference he can save between money appropriated and money spent for feeding prisoners.\footnote{Lancaster, op. cit., p. 191.} In many cases, this bears directly on the care given to children who are detained in county facilities.

The appointment of turnkeys and matrons for county jails by the sheriffs is of significance in the handling of juvenile delinquents. In many cases, this is a political or family matter and qualifications are of secondary consideration.\footnote{Ibid., p. 191.} (Although it is universally recognized that children should by detained separately from adult prisoners, facilities are often within the same buildings and the staff is the same for both.)

In small counties where the sheriff cannot earn enough money from the fee system, he engages in a second business.\footnote{Marguerite J. Fisher and Donald G. Bishop, Municipal and Other Local Governments (New York, 1950), p. 335.} This practice tends to cut down even more drastically on the time which he might devote to work with juvenile delinquents.
The sheriff exists as a constitutional officer in more than three fourths of the states.\textsuperscript{19} By choosing to elect him rather than to appoint him, the American public has made the sheriff a politician first, and a professional lawman second. His affiliation with partisan politics prevents the unqualified assertion of his authority.

To be eligible to run for the office in most places, a candidate must simply meet requirements as to age, local residence, citizenship and the voting privilege.

Rhode Island is the only state which does not elect its sheriffs. In twenty-six states sheriffs serve a term of four years, while a two-year tenure is observed in nineteen states. The term is three years in New York and six years in Massachusetts.\textsuperscript{20} The most common term in 1926 was two years.\textsuperscript{21} Many states prohibit consecutive office holding by the sheriff. This is an assurance against the continuance of tyrannical administrations. There has been little evidence of the necessity for such a safeguard.

The short tenure of office prevents the development of long range plans which are necessary to effective law enforcement programs. Even if all other factors were favorable

\textsuperscript{19}James, op. cit., p. 151.

\textsuperscript{20}Paul W. Wager, editor, County Government Across the Nation (North Carolina, 1950), p. 15.

\textsuperscript{21}James, op. cit., p. 152.
to a well planned system for dealing with juvenile delinquency on the county level, this policy would tend to hamstring its chances for success. Each new man has full power to make alterations or to completely eliminate the programs initiated by the man whom he has replaced.

In New Jersey, sixteen of twenty-one sheriffs questioned admitted that they did not take their statutory duties to apprehend criminals seriously. A majority of them confined themselves to caring for the jail and serving civil processes. It was the general opinion that the job was big enough without pursuing law breakers.\textsuperscript{22}

In Missouri, a governor criticised sheriffs because of their over-concern with constituent opinion.\textsuperscript{23}

Still another harsh comment was issued in Connecticut where it was said that "the office of sheriff is the highest paid, most ornamental, and least needed in the state."\textsuperscript{24}

An effort has been made in some areas to give more purpose to the office by allowing deputies to patrol certain parts of the counties. These men are even less qualified for police work than the sheriff in most cases.\textsuperscript{25}

The qualifications for good work in dealing with juvenile delinquency are definitely lacking in this office, having been eliminated through faulty design in method of

\textsuperscript{22}Smith, op. cit., p. 85. \textsuperscript{23}Ibid., p. 86.
\textsuperscript{24}Ibid. \textsuperscript{25}Ibid., p. 89.
selection, compensation, and personal requirements for training and experience.

Although county law enforcement is dominated by the sheriff, mention must be made of the other agents engaged in county police activities.

Many small villages in the county employ constables and marshals. They are usually elected, although in a few states they are appointed. Their principal function in recent years has been the regulation of traffic, but they are clothed with full police powers within their jurisdiction and are called on to perform criminal work. The constables serve legal papers for the courts. For this work they receive fees after the manner of the sheriffs. In practically all cases, this compensation is not sufficient, and another means of support must be maintained. Weaknesses in the constable's office closely resemble those of the sheriff's office.26

Contrary to popular belief, the constable is not a subordinate of the sheriff, but in practice he usually is anxious to relinquish his duties as a peace officer to the sheriff.27 It has already been noted that the sheriff prefers to devote most of his time to the more lucrative aspects of his office, so it can only be concluded that the pursuit of law violators is neglected by both of these offices. The

26 Fisher and Bishop, op. cit., p. 338.

constable has, however, taken a great interest in traffic violations. He is noted particularly for apprehending speeders. On many occasions, constables bring speeders before the justice of the peace with whom they afterwards split the resulting fines.

Marshals perform the same functions as the police of larger cities, but the small towns and villages in which they operate usually pose problems similar to those of the county. A salary is paid to marshals since they do not perform court services for fees. This allows them more time to devote to law enforcement duties. Their superiority to the constable in this respect is generally recognized. The marshal's qualifications are not substantially higher than those of the constable. As a rule, they have very little training in law enforcement. In many places, they are provided with the same expensive equipment as their urban counterparts. The per capita expense of maintaining these facilities is excessive for the small populations which they serve, and often is far out of proportion to the quality of protection received.

In a few places, the sheriff, constable and marshal have been relieved of all responsibility for police services by the institution of county police units. The largest unit of this type operated independently of the sheriff's office.


\[29\] Ibid.
is located in Nassau County, New York. It possesses both an urban and a rural character. This department serves ten cities with populations between 5,000 and 25,000 and fifty-six smaller municipalities. The total population of this county is almost half a million. When the Nassau County Police Department was established in 1925, some thirty-odd city and village police forces, a small detachment of state police and a few prosecutor's detectives provided inadequate service. Constables in the county ceased all activity and the sheriff restricted the activities of his office to its role of aiding the courts.30

Los Angeles County, California, has a similar organization, but it is operated under the direction of the sheriff. There is a general trend for counties containing large urban centers to develop this type of organization and they are very effective in police work. They employ the methods of modern urban police departments. Their efficiency in dealing with juvenile delinquency compares favorably with that of urban police.31

In summary, it may be said that the county police forces are seen to be mostly unqualified to perform the constructive services, as they are defined in Chapter II, which are required for dealing with juvenile delinquency. The personnel

which occupy county law enforcement offices are not required to meet even the minimum standards desired for this work. It is assumed that a certain amount of natural ability and aptitude among some of these officers would enable them to achieve a limited degree of success in working with juveniles. The conditions under which they work, however, discourage participation beyond the point of absolute necessity. Deprived of effective aid from legal sources, rural youth, which comprises 40 per cent of juveniles in the United States, faces the rising tide of delinquency.
CHAPTER IV

URBAN POLICE AND JUVENILE DELINQUENCY

Regardless of the fact that rural juvenile delinquency is on the increase, the cities still represent the core of police problems in this area of law enforcement. In the urban communities of the United States (those of over 2,500 population), 70,000,000 people are protected by 120,000 police. More than 60,000 of these police are found in cities of over 250,000 population. New York City alone has more than 20,000 police. Cities having over 250,000 inhabitants average about two and one third police department employees per 1,000 people. In cities between 50,000 and 250,000 population, the ratio is one and two thirds police per 1,000 people. Cities from 25,000 to 50,000 population average one and one half police per 1,000 people. Smaller cities employ about one and one third police personnel per 1,000 inhabitants, on the average.¹

These figures do not include independent park police, private watchmen, special police, and commercial guards. There are marked deviations in both directions from these averages, but generally speaking, the larger a city, the

¹Ibid., pp. 122-123.
more police per capita it will employ. An exception to this rule appears in Texas. The city of Odessa has a population of 29,495 and employs sixty-eight policemen. Wichita Falls, which has 68,042 inhabitants, employs only sixty-nine policemen.  

The police departments found in small cities are much more characteristic of the American police system than those of larger cities. Five sixths of American cities and towns fall within the group with below 25,000 population. They number 2,200 and the average police strength is eight men. When this average force is divided into three shifts and allowances are made for rest days, vacations, sick leaves, special details and other services, the law officers become spread quite thin. 

From the statistics given above it is easily seen that man for man, small police forces are no match for large ones. The innate superiority of large police forces is further established by the fact that they are able to make maximum use of expensive equipment and to enjoy the services of its full potential. A small force using a two-way radio for dispatching patrol cars is getting only a fraction of the possible use of such an apparatus. Moreover, it must pay the same price for such equipment as does a larger force which uses the radio to full advantage.

²Staff Research Report, op. cit., p. 94.
³Smith, op. cit., p. 124.
As important as equipment may be, the human element must be given primary consideration. It is not difficult to understand why small forces are reluctant to give special emphasis to juvenile work. Many of them are operating in a strain while carrying out routine assignments.

The Children's Bureau recommends that 5 per cent of the officers of a force be assigned to juvenile control units. This would automatically apply to forces employing twenty or more policemen. Statistics compiled in 1955 show that in nearly one half of the communities with populations over 20,000 not even one special juvenile officer is employed. According to the one and one third officers per 1,000 population average established previously, the minimum number of policemen employed by any of these departments would be twenty-six. Allowing six persons for office assignments, the active forces would still be twenty persons, and 5 per cent of this number would allow for one special juvenile officer.

In smaller cities there is generally no specialization. The officers recruited for general line work are not required to possess qualities especially aimed at work with juveniles. The heavy burdens born by smaller forces tend to

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4 Staff Research Report, op. cit., p. 94.
6 Ibid.
justify their refusal to assign even one man to this type of work on a full time basis, but justification fails to solve the problems of the juveniles needing aid.

Slightly more than one half of urban police are in uniform patrols. The number of these officers is decreasing due to the increasing demands of traffic regulation and technical duties that have developed with popular use of the complicated apparatus in police work. Foot patrols constitute one third of the police strength of urban communities. From 25 per cent to 35 per cent of the foot patrol are constantly diverted to other duties. They substitute for men on vacation, rest days, special leave, suspension, illness, and injury. In short they constitute a pool from which men are drawn for any job which needs filling.

This situation is of special significance to the problems of juvenile delinquency. The foot patrolman maintains more intimate contact with juveniles and their environments than other police officers. Even the special juvenile police must depend heavily upon the foot patrolman to detect danger signs and to apprehend boys and girls at the scene of the offense. The weakening of this branch means the weakening of the general effectiveness of the police department in dealing with juveniles. Large cities, which are especially dependant on the foot patrolman, will suffer the most from this trend.

7 Smith, op. cit., p. 136.
Many systems deploy their foot patrolmen in three equal shifts without regard for the crime and delinquency curves which show a marked peak between 6:00 p.m. and 2:00 a.m. In some cases, the reason given for this practice is that a full complement of men is needed during every shift in order to carry out even routine tasks. This situation suggests that additional men are needed in the forces as extras during this critical eight-hour period.

The importance of the "cop on the beat" is emphasized by a majority of those writers who have concerned themselves with juvenile delinquency. With this in mind, a closer look at the qualification required of recruits and the benefits to be derived from this profession will be of aid in the estimation of the quality of police personnel currently being employed.

The most important assets of any man are the personal qualities he possesses and the manner in which he applies them to his selected vocation. Obtaining men of higher caliber for police services necessitates competition with the business world. It is only natural that a man should seek the position which offers him the greatest advantages. One of the first considerations in this line is compensation.

Police salaries correspond with the per capita income distribution in various parts of the country. Larger

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Ibid., p. 141.
salaries are paid in the Middle Atlantic, New England and Pacific States than in the South Atlantic and South Central States. A relatively low economic position is maintained in all localities. Compensation is generally governed by the ability of the community to pay rather than the value of police services to the area. The wage scale for 1949 is shown in Table III.

TABLE III

POLICE WAGE SCALE FOR 1949

<table>
<thead>
<tr>
<th>Population of Cities</th>
<th>Police Wage Range (Annual)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 to 25,000</td>
<td>$1,160 to $3,540</td>
</tr>
<tr>
<td>25,000 to 50,000</td>
<td>$1,650 to $3,962</td>
</tr>
<tr>
<td>50,000 to 100,000</td>
<td>$1,590 to $3,818</td>
</tr>
<tr>
<td>100,000 to 250,000</td>
<td>$1,850 to $3,384</td>
</tr>
<tr>
<td>250,000 to 500,000</td>
<td>$1,740 to $3,504</td>
</tr>
<tr>
<td>Over 500,000</td>
<td>$2,220 to $3,900</td>
</tr>
</tbody>
</table>

It is apparent that police wages were not designed to attract the most desirable members of the labor pool unless such individuals are especially motivated to public service. The police are handicapped by financial limitations when job availability is high in the community.

Benefits other than salaries are important in attracting men of quality to police service. Only 5 per cent of American cities provide uniforms for their police, free of charge. Only 30 per cent provide minor personal equipment or offer

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9 Ibid., pp. 126-127.  
10 Ibid., p. 126.
cash in lieu thereof. Two thirds of American cities provide nothing at all in the way of equipment. The initial cost of equipment for a policeman is between $100.00 and $200.00.\textsuperscript{11}

One of the primary considerations of potential employees is the time he must spend on the job. The eight-hour day is almost universal because it fits the three platoon system. One day off in seven is allowed by 50 per cent of American cities. A few allow none. The remainder allow from one in six to one in thirty days off. Two rest days per week are allowed by a few places. An annual two weeks vacation is allowed by 80 per cent of the municipal forces. Practically all the rest have longer annual holidays, including those that allow only a few rest days.\textsuperscript{12}

About 12 per cent of American cities make no regular provision for paying ill or disabled policemen. All of the others have some policy. One half pay is allowed by 7 per cent, but the majority allow full pay with limitations from a few days each year to no restrictions at all. About 25 per cent have no established policy and each case is handled individually.

Retirement systems are provided by 90 per cent of the American police departments. Nearly all require contributions by their members. The common contributions are 1 per cent or 2 per cent of base pay, but in some instances, as high as

\textsuperscript{11}\textit{Ibid.}, p. 158. \hfil \textsuperscript{12}\textit{Ibid.}, pp. 158-159.
13 per cent is deducted. Usually 50 per cent of base pay is allowed for superannuation retirement. This is obtainable often after twenty or twenty-five years of service. Disability payments are often as much as 75 per cent of base pay. Only one third of the municipal forces provide for compulsory retirement on administrative order. Age for this kind of retirement ranges from sixty to seventy. The largest group is sixty-five.\textsuperscript{13}

Despite the mediocrity of the benefits offered by most police departments, physical and health requirements are generally high. This desirable standard is nullified to some extent in areas where an applicant is allowed to be examined by his own physician rather than a police surgeon.

Minimum height requirements range generally from five feet and seven inches to five feet and ten inches. Weight requirements are not usually very strict. This laxity results in overweight among policemen in many instances.\textsuperscript{14}

The consideration of age limits is of special importance in the selection of police officers who will work mostly with juveniles. Minimum ages for police recruits range between twenty-one and twenty-eight. Twenty-one is the minimum requirement by 60 per cent of the police departments. Maximum ages at which policemen are recruited begin at twenty-six and go to sixty. Eight cities have no maximum limit, but

\textsuperscript{13}Ibid., pp. 160-161.  
\textsuperscript{14}Ibid., pp. 48-49.
the largest urban centers set it at between twenty-eight and thirty.\textsuperscript{15}

Theory differs with regard to what age policemen are most effective in working with children. Older officers may have more experience. On the other hand, they may not be quick to embrace new theories in dealing with juvenile delinquency. More youthful policemen may have a better understanding of juvenile problems, having been more recently faced with similar situations than older members of the force. Conversely, the lack of experience and understanding on the part of the younger men could cause them to follow new methods blindly, without the foresight to recognize danger signs which older persons might notice.

Character investigations, which should be thorough if police personnel are to be above reproach, are quite lax. Many civil service commissions go no further than the requirement of references.\textsuperscript{16}

Formal education rarely exceeded six years of school two generations ago, but it now averages around eleven to twelve years. This is due in part to compulsory education laws. About one half of American cities require high school graduation.

Great improvement has been made in testing. The old civil service examinations were concerned mostly with

\textsuperscript{15}\textit{Ibid.}, p. 50. \textsuperscript{16}\textit{Ibid.}, p. 150.
spelling, elementary arithmetic, legal definitions, and local geography. The difference between knowledge and intelligence was confused. Today, intelligence tests and police aptitude tests are more popular, but great doubt as to their validity in measuring the elusive requirements for police service exists. This is especially true with regard to juvenile matters.

After passing the initial examination, a recruit is placed on probation. It is recommended by many public administrators that a minimum of six months be allowed for probation.17

Training facilities were very rare prior to 1920. At present, all American cities of over 500,000 population, and some of the smaller cities as well, have their own training facilities. State police schools provide training for many police from smaller departments. More than sixty American colleges and universities now offer courses in police administration. Not enough work and training in juvenile work is included.

Urban police departments, while far superior to rural police departments, are not ideally suited to carry out the responsibilities which they possess with regard to juvenile delinquency. Most of them are too small to designate even one officer for full time work with juveniles. Training

17Fisher and Bishop, op. cit., p. 328.
programs generally do not include any special references to juvenile problems. Recruitment is keyed to the purposes of general police work. Salaries and other compensations are low, and therefore do not attract the choice personnel which are needed to work with juveniles.

Notwithstanding these shortcomings, the urban police play an important role in dealing with juvenile delinquency. They do not suffer the structural prohibitions that are seen in rural law enforcement agencies. Their weaknesses may, therefore, be strengthened with much more facility.
CHAPTER V

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary

This study was undertaken for the purpose of determining the nature of the role of local law enforcement agencies in dealing with juvenile delinquency. Emphasis was given to the contrast between traditional police philosophy for dealing with juveniles and the more scientific methods which are recommended by sociologists.

Chapter I presents an historical background of local law enforcement agencies and the early development of juvenile delinquency in this country.

In Chapter II, the current juvenile delinquency problem is discussed, along with the most recent police philosophy concerning this field.

Chapter III is devoted to a description of the law enforcement units of rural America. The characteristics of these departments, which are not conducive to work with juveniles, are especially noted.

In Chapter IV, urban law enforcement agencies are discussed. Attention is given to the standards maintained for the selection of personnel and the general effectiveness of police systems currently in operation, as they affect juvenile problems.
Conclusions

The following conclusions appear to be justified by the findings of this study:

1. Law enforcement agencies are in a strategic position for dealing with juvenile delinquency.

2. Philosophy concerning the role of law enforcement agencies in dealing with juvenile delinquents is far in advance of its application by law enforcement agencies at the present time.

3. The marked increase in rural juvenile delinquency threatens to overwhelm the already inadequate county police agencies.

4. Because of this increase, reorganization of the basic structures of police systems is needed at the county level in order to provide modern police services for all juveniles.

5. The county is not a legitimate division for police purposes, and its use as such tends to perpetuate police systems which are inadequate to deal with juvenile problems.

6. The qualifications of rural law enforcement agencies are far below those required for handling juvenile delinquents in a constructive manner.

7. Urban law enforcement agencies are superior to county agencies, but they require alterations in some of their philosophies before they can realize their full potentials in working with juveniles.
Recommendations

The following recommendations appear to be warranted by the findings of this study:

1. General police training courses should include juvenile work.

2. More attractive salaries should be authorized for special juvenile police in order to attract more capable personnel to this service.

3. Police forces of twenty or more men should have at least one special juvenile officer.

4. Police forces of less than twenty men should place extra emphasis on juvenile work in their training programs.

5. Counties not able to provide adequate police services to juveniles should be grouped into special districts in which special juvenile police could be cooperatively supported.

6. In sparsely settled counties of great area, where adequate police services are impractical, the state police should be used for dealing with juvenile delinquency.

7. Cooperation between law enforcement agencies and other social agencies dealing with juvenile delinquency should be intensified.
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