Lecture 12: Juvenile Justice, Gender, and Policing

Remaining Classes

- Tues 11/19: Juvenile Justice & Waiver
- Thurs 11/21: Prevention Programs
  - Papers Due
- Tues 11/26: Policing Youth / Probation
  - Distribute study guide
- Thurs 11/28: Thanksgiving
- Tues 12/3: Institutionalization
- Thurs 12/5: Wrap-up and Review
- Tues 12/10: 2nd Exam [not 12/10]
- Monday 12/16: Optional 2nd Exam

[review] Miller & Mullins on Feminist Theories in CWB

- Femcrim aims to reduce gender inequality, crime, and inequitable treatment of offenders, victims, and workers emerging from androcentric (male-centered) policies and practices in gendered institutions.
  - androcentric to ask why women commit less, (v. why men commit more)
  - “not particularly successful” in creating general theories
- Doing gender: crime as resource for performing & accomplishing gender (see Rios)
- Blurred boundaries of victimization and offending
  - E.g., male violence as direct, instrumental, physical; female violence as indirect, expressive, relational
  - Role of romantic connection in gaining entree to associates
- P. 236 – masculinities (Cohen subcultural approach)
[review] smallest juvenile court caseload since 1960s

The decline in juvenile court caseloads since the mid-1990s is the most substantial decline since 1960.

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gender gap shrinking but male juvenile court case rate still double female rate in 2017 (37 vs. 14 per 1000)

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Zahn et al. – What works for GIRLS in JJS (2009)

- Girls > Boys in mental health problems & abuse histories, < in criminal history
- Gender-specific may help education, relationships, self but not crime
  - RYSE (AfAm) – only reduced for AfAm girls
  - WINGS – also probation RC, no effect
- Non-gender-specific reduced crime
  - Multidimensional Treatment Foster Care (MTFC) reduced girls' crime
  - Multisystemic Therapy (MST) works equally well for girls/boys
- Good programs are good for girls
Police

- Juvenile attitudes toward police:
  - Improved 1993-2003, then flat or declining for Whites (again, peak juvenile crime in early 1990s)
  - Big race gap 1990-2015, (36% white and 23% African American say police doing a good or very good job), but surprising convergence 2015-2018.
- Some estimate ~12% of urban police stops result in arrest; Key factors in discretion:
  - Offense seriousness
  - Presence or wishes of complainant
  - Community preferences/pressures
  - "Demeanor" or interaction in situation (tied to race/sex/class)
  - Gender (males for serious, females for status)
  - Race (much more likely to stop, maybe arrest)
  - Class (geography of police patrol in low-income)
Stop and Frisk ("Field Inquiries")

- 4th Am (Terry v. Ohio 1968) Police need "reasonable suspicion" that a crime has been or will be committed, to stop and question. They may frisk for weapons if reasonable suspicion they are armed & dangerous.
- NYC and "Broken Windows" policing – from 700,000 stops to almost zero (de Blasio elected in 2013)

Stop and Frisk (NYC - Jeff Fagan)

- How would Rios interpret?
  - African Americans & Latinos 9 times more likely to be stopped by NYPD, but, once stopped, no more likely to be arrested (685,724 stopped in 2011)

Policing Youth - Discretion

- Release
  - CWR (counsel, warn, & release)
  - "Station adjustment" (informal, but still recorded in some states (IL))
- Referral
  - Diversion
  - Juvenile Court intake
    - Case-processing: probation as likely outcome
    - "leaky funnel" of processing
- Hot Topics: Implicit bias, body cameras, procedural justice, legal cynicism
Juvenile court processing 819,000 cases in 2017; Gender diff in placement

- 57% petitioned
  - 1% waived
  - 53% adjudicated
  - 28% placed
- 43% non-petitioned
  - 44% dismissal
  - 15% probation
- Female
  - 48% petitioned (.1% waived; 49% adjud.)
    - 66% probation
    - 20% placed

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next

- Week 13 – 11/26
- Probation and Institutionalization -- distribute final study guide
  - A. Probation
  - B. Institutionalization