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# Recent Ethnographies of the Criminal Justice System

Ronald Weitzer<sup>1</sup>

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**Keywords** Policing · Courts · Justice · Inequality

Nicole Gonzalez Van Cleve, *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford: Stanford Law Books, 2016, 272 pp., \$24. ISBN: 978-0804790437.

Forrest Stuart, *Down, Out, and Under Arrest: Policing and Everyday Life in Skid Row*. Chicago: University of Chicago Press, 2016, 352 pp., \$27.50. ISBN: 9780226370958.

Ethnographic studies utilize in-depth interviews and participant-observation techniques to provide a fairly complete picture of a particular group, setting, or institution. The best ethnographers describe their data-collection procedures fully; present rich data on lived experiences; avoid over-identifying with the research subjects (“going native”) or showing animus or other bias against them; link micro-level processes to macro-level structures; and give readers a sense of “being there” vicariously in the field setting. For the latter, diagrams or photos can be valuable in giving readers visual access to the site. Ethnographies vary considerably in meeting these tests. Some do a fantastic job of reflecting both lived experiences and the structural arrangements shaping those experiences, while others are exclusively micro-oriented, one-dimensional, biased

from the outset, or cherry-pick data to conveniently support a particular argument.

Recent ethnographies in the field of criminal justice divide along this fault line. Some ethnographers masterfully illuminate a world that was hitherto invisible. A good example is Didier Fassin’s work. Based on 15 months of observations of a police anti-crime squad in Paris, his book, *Enforcing Order*, examines the ways in which officers patrol, control, and alienate residents of ghettos populated by North African migrants and other minorities.<sup>1</sup> Fassin provides plenty of evidence of officers’ racist and xenophobic views of residents of disadvantaged communities and their typifications of such neighborhoods as enemy territory, especially with regard to the young males who live there. While excessive force was rarely used, officers routinely engaged in verbal humiliation of the youths, to remind them of their marginalized status in French society. For the most part, the youths did not resist such provocation and remained compliant as they were subjected to identity checks and searches. An important finding is that the officers conducted these stops because they were rewarded for making arrests by their superiors, yet they disliked stopping suspected illegal immigrants and drug users, viewing them as outside their mission of targeting violent criminals. Fassin also shows how the anti-crime squad operated more aggressively and with much more autonomy and less accountability than regular police officers. The research was conducted in 2005, prior to the recent terrorist attacks in France and Belgium, which were launched by individuals living in similar marginalized communities. Replication of the study today would document whether, and if so how, police practices have changed as a result of these events.

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✉ Ronald Weitzer  
weitzer@gwu.edu

<sup>1</sup> Department of Sociology, George Washington University, Washington, DC 20052, USA

<sup>1</sup> Didier Fassin, *Enforcing Order: An Ethnography of Urban Policing*. Cambridge: Polity, 2013.

Previously reviewed in this journal,<sup>2</sup> Alice Goffman's book, *On the Run*, is a groundbreaking sociological examination of the experiences of urban youth who are wanted by the police.<sup>3</sup> No previous researcher has studied this phenomenon in depth, and Goffman does an outstanding job of identifying the ways fugitive status affects one's access to conventional institutions (which they largely avoid) and highlighting the toll it takes on relationships with friends and family members. Fugitive status shapes every aspect of their lives, frays social bonds, and produces a subterranean subculture where those who are wanted live almost entirely off the grid.

Despite its unique contribution to our understanding of this social world, the book was met with chorus of critics who were alarmed at Goffman's unabashed bias in favor of the offenders she studied and failure to criticize their criminal activities; objected to the way in which the study site (a black neighborhood in Philadelphia) is typified on the basis of her involvement with just a few individuals; suggested that she may have distorted or fabricated some of her stories; and raised serious ethical questions regarding Goffman's activities (including possible criminal acts). I would add yet another criticism: Goffman's depiction of the police is a caricature. This is due to her deep affinity with her research subjects, who were wanted by the police, but is also a function of her complete lack of familiarity with the vast sociological literature on race and policing, studies that present policing as far more nuanced and complex than Goffman imagines. Only two such studies are cited in the book. Goffman portrays the police as a punitive, ubiquitous occupying force, "transforming poor black neighborhoods into communities of suspects and fugitives... many residents live with the daily concern that the authorities will seize them and take them away" (8). The fact that her subjects have warrants out for their arrest and that they were involved in drug dealing, assault, fraud, shootings, and attempted murder does not seem to matter. They passively "catch a case," rather than being responsible for crimes and for their fugitive status. Goffman's critique of hyper-policing would have been more convincing had she focused on minor, non-predatory offenders, who more easily fit the argument of over-criminalization.

Detachment from the research literature on race and policing is a defect of another recent book: *Punished*, by Victor Rios.<sup>4</sup> Like Goffman, Rios presents a highly skewed image of policing, which he characterizes as part of a repressive "youth control complex" that administers "synchronized, systematic punishment" (40). The fact that most of the young men he hung out with in Oakland, California, had been involved in criminal activity – which might explain at least some of their

encounters with police officers – is overlooked entirely, thus making it rather easy to present the police as oppressors acting without due cause when they stop and question young people. Like Goffman, Rios portrays the youths as "criminalized" in order to distract readers from their criminal histories. No attempt was made to interview police or probation officers, so what we learn about them is entirely from the youths' vested vantage point. No attempt is made to confirm their claims, let alone illuminate why the authorities treat the youths the way they do. Studies of minority youths in other cities find that many of them have similar perceptions of and reported experiences with police officers, but frame them in a more nuanced fashion.

Another problem with Rios's book is the composite image of the subjects. Rios largely conflates the Latino and African American youths he studied. The black and Latino youths were "criminalized in similar ways" and "encounter punishment almost identically" and the two groups formed a "common subculture," yet the black males faced "harsher sanctions" and the "worst criminalization" (18). These contradictory claims suggest that there might be some difference in experiences, but the remainder of the book glosses over the differences and presents a uniform picture. We know from other studies that Latinos are consistently less likely than African Americans to report experiencing police verbal and physical abuse, unwarranted stops, racial discrimination, and corruption. Indeed, Latinos occupy an intermediate position between whites and blacks in their attitudes toward and experiences with the police.<sup>5</sup> Rios, however, homogenizes the two groups into an undifferentiated "minority youth" category, whose members seem to share an identical and uniformly hostile perspective on the police.

Nicole Gonzalez Van Cleve's book, *Crook County*, is an in-depth study of the criminal court system in Cook County, Illinois, which includes Chicago. The book offers a unique inside view of this court, based on extensive participant-observation. While the data presented are interesting, the analysis and arguments are fairly crude and the presentation quite polemical. For starters, court officials are caricatured and condemned. The book's title refers not to accused offenders, but instead to judges, prosecutors, and defense attorneys who are labeled "crooks . . . the true hustlers who rigged the system" (20). The disdainful and monolithic way in which they are presented is particularly surprising when we consider the numbers: 560 public defenders and 900 prosecutors work in this court and process a huge number of cases each year!<sup>6</sup> The

<sup>2</sup> *Society* 53 (2016): 436–452.

<sup>3</sup> Alice Goffman, *On the Run: Fugitive Life in an American City*. Chicago: University of Chicago Press, 2014.

<sup>4</sup> Victor Rios, *Punished: Policing the Lives of Black and Latino Boys*. New York: NYU Press, 2011.

<sup>5</sup> Ronald Weitzer and Steven Tuch, *Race and Policing in America: Conflict and Reform*. New York: Cambridge University Press, 2006.

<sup>6</sup> Contradictory figures are presented: one page states that more than 10,000 total cases are processed annually by the court; another page states that more than 23,000 indigent defendants are represented annually by the Public Defender's Office alone. Despite the vast discrepancy in these figures, it is clear that the court processes a huge number of cases each year.

book presents the large contingents of prosecutors and defense attorneys as two homogeneous groups, and then vilifies them.

Van Cleve takes pride in her starkly partisan approach to court actors and to an institution that she declares illegitimate on her very first day of research (27). She expresses contempt for the culture of the court, whose operations are fundamentally “a ceremonial charade where the color of your skin makes you inherently worthy of punishment” (188). Racism is entrenched in the institution, enacted daily by all officials, and is not just present but *necessary*: the court “thrives on racism to function efficiently” (12). This court is not only run by “crooks” but also described as an “assembly line of constant victimization” of defendants (181). Offenders are depicted as abused by the institution. Yet the individuals they victimize are largely invisible in the book.

Race is superimposed on every aspect of this court, sometimes in an embarrassing manner. For example, Van Cleve sees a “Jim Crow-style social arrangement” in the two separate lines for entrance to the court, one for court personnel and the other for civilians: this was her “first clue of a double system of justice – one for people of color and the poor, and one for wealthy whites” (16). It is true that most of the court staff were white and most of the civilian visitors were black or Latino, but the separate lines simply distinguish insiders and outsiders rather than symbolizing Jim Crow racism.

Van Cleve divides defendants into “monsters” (violent offenders) and “mopes” (persons who are “uneducated, incompetent, degenerate, and lazy”). Late in the book, we learn that mopes can also be monsters, so the categories are not mutually exclusive. A third, unnamed category are the respectables – competent, hardworking, responsible, and “worthy” individuals that defense attorneys will advocate for. The mopes, by contrast, were routinely disciplined by court personnel: “a host of paternalistic lessons, humiliations, and violent threats” are directed at them by court officials (62). Van Cleve views the mope category as racialized – applied to people of color – whereas “white defendants were, by default, outside the mope construct” (65). Yet this race-based type is abandoned for whites who also can be mopes: We read about a “white mope” redneck whose “performance of underclass whiteness earned him no favor” (68) and another “white mope who was racialized for his inauthentic performance of whiteness” (106). Whites “had to ‘prove’ their whiteness by exhibiting an upper-middle-class demeanor” (65). These convoluted and opaque formulations (“performance,” “whiteness”) seem to mean that “authentic” whiteness requires middle-class behavior and that court officials discriminated against underclass whites. Thus, *class trumps race* in court. But even more damaging to Van Cleve’s racial reductionism is her summary statement that “prosecutors and judges use the performance of whiteness to distinguish the rare deserving white defendant” (162). Therefore, (1) what first appears to be a race-based construct (mope) is instead classist and elitist and (2) the latter

quotation implies that race made little difference in treatment, because white, like black and Latino, defendants were *rarely* viewed as deserving of justice.

This points to one of the most glaring problems with the book: the absence of *social class* as a distinct explanatory variable. The few times that class is mentioned, it is merged with race. Terms such as “upper-class white privilege” and “wealthy white defendants” and “poor people of color” conflate race and class (66, 67, 134). Missing is any discussion of middle-class or upper-class African Americans and Latinos. Did class background make a difference in their treatment by court officials? The only time this is directly addressed is with regard to one black man who was treated well by his defense attorney. Van Cleve calls him middle class, but the only indicator of this was the fact that he was wearing designer glasses!

Court officials themselves commented on defendants’ social class as well as larger societal inequalities, but the author dismisses the latter as simply a technique officials use to nullify their role in perpetuating inequalities within the criminal justice system. A survey administered by interviewers hired by Van Cleve asked samples of court officials whether defendants are treated fairly, regardless of their race or class: 11 out of 22 private defense attorneys answered no, compared to 21 out of 24 public defenders. Although equal numbers of prosecutors and judges were interviewed, their responses are not reported. It is important to note that the question asks about “race or class,” not race alone, so it remains unclear how many attorneys were thinking of race, class, or both. But the findings show that attorneys are not as monolithic in their views as they are depicted elsewhere in the book, and that some are indeed aware of inequalities within the judicial system.

If race and class are muddled, race and criminal offense are fused. According to Van Cleve, defendants are defined in court not by the criminal charges against them but instead by judgments of *respectability* (“if someone was motivated, hardworking, and competent, he or she would not be charged with a [nonviolent] crime” [58]) or by *racial tropes* (“criminal charges signal not a type of criminal act but a type of racialized being” [58]). Either way, defendants’ offense type and prior record are not particularly relevant. These shocking claims are contradicted by research that has consistently found offense type and prior record to be robust predictors of case outcomes (conviction, punishment). Regarding demographics, the literature has established that race is hardly the sole predictor; instead, outcomes are shaped by the interaction of race, age, and gender – i.e., young minority males receive the harshest punishment, after controlling for offense type.<sup>7</sup> I am not suggesting that Van Cleve should have conducted a quantitative variable-based analysis, but instead that at least some

<sup>7</sup> See, for instance, Darrell Steffensmeier, Jeffery Ulmer, and John Kramer, “The Interaction of Race, Gender and Age in Criminal Sentencing,” *Criminology* 36 (1998): 763–797.

consideration be given to the relevance of class, gender, age, and offense type.

Another serious problem with the “monsters” and “mopes” distinction is that nothing is said about the monsters! This stacks the deck by emphasizing the court’s demeaning treatment of marginalized people and minor offenders, while ignoring how it processes violent offenders. Documenting the treatment of minor offenders is important, and points to the need for reforms in court culture, but it is equally important to describe and assess the way serious offenders are processed. Doing so would highlight cases that receive much more time, resources, and due process protections – all of which fall outside her mope-oriented, assembly-line injustice paradigm. Ignoring both violent criminals and their victims makes it easy to depict the court as nothing other than a tyrannical institution persecuting marginal offenders. The larger context is important here: Chicago has witnessed a skyrocketing number of shootings and homicides in the past few years.

Some of the book’s content is rather peculiar; here are just a few examples:

- Terminology: The terms “race” and “racialized justice” appear on every page, and often seem to be tacked on rather than clearly justified. Analogies to Jim Crow, lynching, minstrel shows, and the “white man’s burden” are stretched and unnecessary – e.g., “the Jim Crow like separation between white professionals and the public gallery” (36); attorneys “wield lynching language in plea bargains” (133). The term “violence” is used cavalierly in describing the behavior of court personnel and the sanctions imposed on defendants: “Attorneys were practicing ‘street law’ for ‘street people’ – a phrase that denoted violence in the law rather than civility” (34).
- Instead of using the conventional scholarly term *occupational culture* to capture the shared understandings and practices of court officials, Van Cleve invokes the notion of “street cred”: street cred among court officials requires conforming to workgroup norms, respecting other officials, and ignoring racial disparities. This is a conceptual stretch from the meaning of street cred on the streets and a distracting tangent in the book.
- Out of the blue, we read that “defendants received harsher sentences not on the basis of their crime or the evidence against them, but according to their weight. No regard was given to actual guilt or innocence” (54). Court officials played a game that incentivized the conviction of overweight defendants; they were offered sweet plea deals to yield convictions, deals not offered to thin defendants. But this incredible claim is taken from a 1998 book by a journalist, not Van Cleve’s own observations, and no data are presented to confirm that the game actually resulted in sentences in the 1990s that had “no regard” for the type of crime committed or that the game was played during

Van Cleve’s research! The author simply makes this amazing claim and moves on. Rereading this page several times, the reader will remain confused as to whether it was merely an obnoxious game or whether court officials actually used defendants’ weight to determine sentence length.

A lengthy methodological appendix describes the research procedures. The study was conducted in four stages: the author spent 6 months as a law clerk for the prosecutor’s office (1997–1998) and 3 months as a law clerk for the public defender’s office (2004), followed by a project utilizing hired interviewers (2006) court observers (2008–2009). The triangulated data are a major strength of the book. But curiously, the appendix says relatively little about the author’s research activities as a law clerk and much more about the third and fourth stages of data collection. Sponsored by the Chicago Appleseed Fund for Justice, white women were hired in 2006 to conduct 104 “structured interviews” with equal numbers of judges, prosecutors, public defenders, and private attorneys (these interviews appear to be fixed-choice surveys, not in-depth interviews). In 2008–2009, 130 graduate and undergraduate student volunteer “court watchers” were trained to record observations in each of Cook County’s 25 courtrooms. It is not clear how much of the book is based on the court watchers’ fieldnotes versus Van Cleve’s participant-observation, since they are rarely distinguished in the text. More troubling is that only a tiny fraction of the survey data (only one question) and the 40 pounds of pages of fieldnotes appears in the book, raising questions about the material left out. Readers are left to assume that the examples presented in the book are representative of the mountain of data collected.

If readers can ignore Van Cleve’s tone, slant, and many peculiar tangents, they can learn a lot about this court’s everyday operations. The book clearly documents troubling instances of racial bias among court officials. Some of the court’s dynamics may be explained, as noted above, by defendants’ class, gender, age, offense type, and criminal history, but there is no doubt that race figures prominently in officials’ perceptions of defendants and in their everyday practices. Readers see how professionals simultaneously deny and enact racial discrimination, either subtly or blatantly. Latino defendants, for example, were assumed to be illegal immigrants, and some white and black defendants received different sentences for the same crime.

The study also reveals an “us vs. them” court culture – the myriad ways in which court officials dehumanize and caricature defendants and treat them with indifference and condescension. They are mocked and joked about during court proceedings, and repeat offenders are resented for using up precious court time. As other studies show, many cases in Cook County are processed in a formulaic fashion, with all court officers working together to push cases through the system,

often with only cursory attention to due-process rights. Because of their workload, attorneys do not fully familiarize themselves with defendants' cases and sometimes overlook essential facts. Public defenders engage in triage, dispensing of routine cases quickly and reserving their resources for "worthier" cases. Novice attorneys quickly learn to "streamline processes to the bare minimum of legality" (74). Defendants who need translators don't always get them.

The book provides disturbing examples of how such case-processing denies defendants procedural and/or substantive justice, how their treatment in court can have ripple effects on their ability to keep a job or fulfill other obligations, and how it can result in excessive punishment or wrongful conviction.<sup>8</sup> Defendants were told to stay quiet, not question the proceedings, not exercise their rights, and not ask for a jury trial – to avoid disrupting the swift processing of cases. Defendants are assumed to be ignorant of the law and court procedures, and when some of them expressed such knowledge, prosecution and defense lawyers derided them for "hustling" or invoking "street law." Those who questioned the proceedings or otherwise resisted were openly berated, just as those few defense attorneys who made "too many" motions on behalf of their clients were marginalized by other court actors. Surprisingly, when Van Cleve discusses specific cases, readers are rarely informed of the outcome: was the defendant convicted and, if so, what was the sentence? A rich ethnography should offer a full picture, from beginning to end, of the events that are featured.

Studies of other courts confirm many of the author's observations regarding case processing, but without the racial reductionism so annoyingly prevalent in this book. Had Van Cleve simply presented her findings without the myriad tangents and distortions, and by considering key variables such as class, gender, age, offense type, and prior convictions – in addition to race – her book would offer a much more sophisticated and compelling portrait of this court.

Forrest Stuart's *Down, Out, and Under Arrest* is a model of ethnographic research. The study site is the largest "skid row" in the United States, spanning 50 blocks in downtown Los Angeles and home to 13,000 residents. A majority of the residents are unemployed black men afflicted by alcoholism, drug addiction, physical disabilities, or mental illness. Most are not homeless; two-thirds reside in subsidized single-room apartments. The zone is also saturated with a host of voluntary associations, church groups, nonprofits, and other service providers, as well as two big shelters that provide transitional housing and serve as vehicles through which non-residents receive other services. Police send arrestees to the shelters to

work off community service sentences and to undergo 21-day rehabilitation programs.

Stuart does a great job of triangulating his data: from above (the police), below (skid row inhabitants), and the middle (an organization that works to curb police misconduct). He spent five years hanging out with residents on the street, participating in community action initiatives, interviewing some officers (he does not say how many), following police patrols, and reviewing police department documents (email, internal memos, meeting minutes, financial records). He says the documents helped him cross-check officers' statements and behavior on the ground, but none of the documentary information appears in the book, nor is it clear what exactly was cross-checked. Moreover, did the archival data consist of a few scattered documents or was it more extensive? In any case, Stuart's data sources are as comprehensive as can be hoped for in an ethnographic study.

A turning point in the governance of skid row was the 2006 Safer Cities Initiative, which included a zero-tolerance policing mandate and deployment of an additional 80 police officers to the area. People were cited or arrested for sitting or sleeping on sidewalks, drug possession, panhandling, loitering, and other quality-of-life violations. This led to a huge spike in the number of arrests, but also to a new model of policing that modifies traditional zero-tolerance. *Therapeutic policing* is designed to leverage coercive state power to "empower" marginalized people to change their behavior and lifestyles: "officers use the threat of citation and arrest to compel these individuals to take steps to better themselves and their circumstances," and this includes even the most destitute and deviant individuals (13). The police are now tasked with a role previously performed by social welfare agencies directly, but the approach differs insofar as punitive means are used for rehabilitative goals and in the service of welfare agencies that sponsor rehabilitation programs. This is a far cry from stop-and-frisk and zero-tolerance policing as practiced in Chicago and New York City. Indeed, the officers interviewed and observed by Stuart showed tremendous sympathy for residents who have fallen through the cracks and showed a genuine commitment to helping people out of poverty. They fully embraced their social worker role, used arrests for the purpose of therapeutic intervention, and boasted about the number of referrals they made to service providers. The Safer Cities paradigm is a sea change from the way skid row areas were policed in the past: namely, laissez-faire containment whose main goal was to prevent inhabitants from bothering residents of other neighborhoods.<sup>9</sup> At the end of the day, however, most skid row residents are service-resistant and resent the widening net of social control, and rehabilitative efforts are rarely fully successful. Individuals were given

<sup>8</sup> For similar findings, see Issa Kohler-Hausmann, "Misdemeanor Justice," *American Journal of Sociology* 119 (2013): 351–393, and Malcolm Feeley, *The Process is the Punishment: Handling Cases in a Lower Criminal Court*. New York: Russell Sage, 1979.

<sup>9</sup> Egon Bittner, "The Police on Skid Row: A Study of Peacekeeping," *American Sociological Review* 32 (1967): 699–715.

opportunities for rehabilitation, but such opportunities were stymied by myriad countervailing influences, including what the residents viewed as infantilizing treatment by service providers.

Residents' strategies of resistance figure prominently in the book. They developed what Stuart calls "cop wisdom," seeing through a cop's eyes, in order to reduce their chances of being noticed and interrogated. Indeed, an entire subculture has emerged that transmits such wisdom to new arrivals. Many examples are given of individuals who used their cop wisdom profitably, to avoid contacts with officers or to reduce their culpability if stopped. One such technique is avoiding any behavior that might suggest intoxication, such as fidgeting, scratching, pacing back and forth, and sudden movements. Residents even synchronized their daily routines to distance themselves from places they thought the police might be, based on prior observations of their logistics. Stuart focuses on two subgroups to illustrate the use of cop wisdom: a group of men who routinely engage in weight training in the park and street vendors. His accounts of their daily activities as well as the ways in which they seek to avoid contacts with the police are fascinating.

A splendid chapter examines a Community Watch group that follows officers and films their interactions with civilians, while demanding that officers articulate the reason for each stop. Police usually answered their questions, albeit curtly. The video recording actions became scenes of street theater, where suspects learned to challenge officers during encounters, shouting their names to the videographers and yelling that they are innocent. Stuart argues that this form of resistance is "capable of bringing about significant police reform" (208), yet over time the officers adapted with counter-measures, such as confiscating cameras, filming the protesters, or arresting team members for interference. Overall, however, the group's video recording and questioning of officers seems to have had at least some deterrent effect on police misconduct, and Stuart strongly advocates organized filming as a mechanism of accountability. Indeed, the group's trove of video recordings were once presented as evidence in a court case involving a police stop.

Stuart sometimes provides a fairly selective description of what he claims are larger structural features of skid row. One example is his examination of race and gender. Skid row is composed of black males and some poor whites, and Stuart claims that women and most whites were routinely prohibited from entering the zone. This is because they are seen as "out of place" by the police; officers went out of their way to stop and question women and whites, and these interventions had unwanted spillover effects on the zone's other inhabitants because the mere presence of women and whites drew police attention to anyone nearby. The zone's majority-black regulars thus had an incentive to keep such outsiders away from skid row. Police apparently believe that women are there to sell sex and that the men hanging around them are pimps. Yet we read

only a single account of a woman – married to one of the zone's black men – who was forced out of the area when she began hanging out with her husband. This one example is hardly sufficient to support Stuart's claim regarding gender exclusivity.

Similarly, Stuart is selective in the types of actors and practices he focuses on – sub-groups that may not be representative. One is a small group of men that routinely meets for weight training in the park and another are sidewalk vendors who work on one street. While these groups illustrate some key themes in the book – related to how they relate to the authorities as well as other residents – they are hardly representative of community members. What about the other 13,000 skid row residents, the "overwhelming number" of whom are "using public space every day" (247)? They are invisible in the book. Stuart's frequent use of the term "residents" over-generalizes to the community as a whole.

The book is more theoretically grounded than any other book mentioned in this review, and the findings are used to interrogate theses regarding community policing, broken-windows policing, marginalized populations, and neighborhood-level disadvantage. Both the theoretical hooks as well as his attention to macro-level forces that affect the study site are major strengths of the book. A few of his theoretical claims are less convincing than others, however. He imagines that zero-tolerance policies, despite the name, do not encourage officers to engage in hyper-policing and instead give them *more discretion* than conventional policies. This tampers with the essence of zero-tolerance policing, which actually reduces discretion by encouraging maximum citations and arrests.

The therapeutic style clashes with the image of policing presented by Goffman and Rios. But it is important to stress that Stuart focuses exclusively on one LAPD precinct and one community. He says nothing about wider policing issues in Los Angeles, including how officers in other districts treat homeless people. We know that policing has improved significantly in the city since the Rodney King beating in 1991.<sup>10</sup> It would have been helpful to situate the branch responsible for skid row and its model of policing within the city's broader law enforcement context. Has therapeutic policing or community policing more generally been attempted in other poor neighborhoods and, if so, what have been the results?

The book's core argument is that the police and service providers act in ways that harm the social fabric of the skid row community. Despite its benevolent goals, therapeutic policing has resulted in an "unprecedented level of repression" (256). Expanding social services and the advent of therapeutic policing only compound the neighborhood's "territorial

<sup>10</sup> Christopher Stone, Todd Foglesong, and Christine Cole, *Policing Los Angeles Under a Consent Decree: The Dynamics of Change at the LAPD*. Cambridge: Harvard Kennedy School, 2009.

stigma” and intensify social control over its residents, unlike the old days when skid row inhabitants were largely free to do as they pleased. But the evidence supporting these claims is insufficient to demonstrate that greater social control was indeed “to the detriment of the larger community” or that the initiatives of the police and social service organizations “worsened the social and economic marginalization of skid row residents” (204, 166). A representative survey of the 13,000 residents would help to document how residents, in general, experience and perceive both police practices and the social welfare apparatus. A skeptic would question whether therapeutic policing is as “punitive” and “repressive” as Stuart claims, as well as the notion that it has exacerbated socioeconomic disadvantage throughout skid row. Examples are given of therapeutic policing’s adverse effects on certain residents, but certainly not the neighborhood as a whole.

Stuart advocates total abandonment of therapeutic policing; it cannot be *modified* to make it more humane because police officers inevitably “make abysmal social workers” (267). By implication, it appears that the police should return to the practice of decades ago, intervening in skid row only when a serious crime occurs and other-

wise simply containing its inhabitants so that they do not encroach on surrounding communities. Police withdrawal will offer marginalized people a “safe harbor” (265). As long as things don’t get out of hand, the community should be left to operate by its own norms – as “an altruistic and self-reflective community” (249) whose members are no longer subjected to a “perverse form of care” (257). This is not the only solution, however. Stuart wisely, albeit very briefly, advocates fundamental structural changes to give marginalized people far greater access to education, good jobs, health care, and housing. This is a tall order indeed. In the meantime, it is important to determine whether the *residents* agree with Stuart that therapeutic policing is as repressive as he claims and whether they want the policy abandoned.

**Ronald Weitzer** is professor of sociology at George Washington University. He has conducted ethnographic research in various contexts, and his books include *Policing Under Fire: Ethnic Conflict and Police-Community Relations in Northern Ireland* (1995), *Race and Policing in America: Conflict and Reform* (2006), and *Legalizing Prostitution: From Illicit Vice to Lawful Business* (2012).