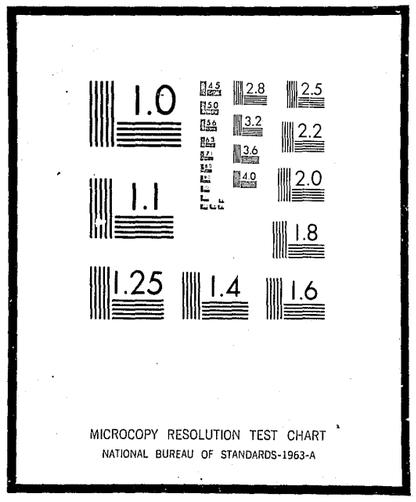

FINAL REPORT:

Pivotal Ingredients of Police Juvenile Diversion Programs

Submitted to the National Institute of Juvenile Justice and Delinquency Prevention

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ABSTRACT

This project was concerned with selected issues in the development of police programs for diverting juveniles from the juvenile justice system. Data gathered from departmental interviews and over 3,000 case files in police departments suggest the following:

1) There are major differences in styles and levels of commitment to police diversion programs, and these relate differentially to types of offenders referred.
2) Evaluation components of the programs reviewed generally had little or no impact on the operations of the programs.
3) Referrals to community agencies have increased significantly over the past five years, but remain relatively low.
4) Referred youngsters, rather than being diverted from the justice system, are more commonly drawn from those ordinarily released without further action.
5) This pattern of referral as an alternative to release is strongly manifested in the variables of age, sex, prior record, and seriousness of instant offense.
6) Current police referral rates are very much a function of the infusion of outside-- federal and state-- funds. In the absence of the continuation of such funds, our data imply that referral rates will recede toward their earlier, very low level.

FINAL REPORT:

Pivotal Ingredients of Police Juvenile Diversion Programs

As part of an extensive program of research on police diversion of juvenile offenders, the "Pivotal Ingredients" project was formulated to provide information not otherwise being gathered on the enforcement end of the diversion process. Our other research support has concentrated more on the diverted offenders and on the community agencies to which many offenders are referred for treatment. The importance of quickly gathering data on the impact of these programs lies in the rapidity with which they are literally exploding in numbers across the nation, with minimal proof of their utility.

In a paper prepared during the project year, it was suggested that between 150 and 200 diversion projects are currently active in California alone and that they are annually increasing in numbers in a straight, linear fashion. Now, the Law Enforcement Assistance Administration has committed over eight million dollars to a national program of diversion projects, and there is still limited evidence concerning diversion impacts on the justice system agencies, the community agencies, and the various offender populations.

The "Pivotal Ingredients" project intended to raise four major questions:

1) How do police diversion programs develop, and how do the several patterns of development relate to success in program establishment and changes in police roles and organizational structures; 2) How can we best interpret reported referral rates from diversion programs and distinguish

between their various components so as to derive more comparable cross-program criteria for impact evaluation; 3) What are the relationships between departmental diversion rates and referral rates, and what are the recorded characteristics of diverted vs. referred youngsters; 4) What modifications in recommendations derived from evaluated diversion projects must be suggested because of the very nature of evaluated (and therefore atypical) projects?

The relevant data were gathered in two major phases and were buttressed via numerous informal conversations and observations in police departments and community agencies. The first major phase involved an interview with the juvenile officer or other individual charged with diversion/referral responsibilities in each of thirty-five police departments, as well as in eight divisions of the Los Angeles Police Department. These interviews were pertinent primarily to aims one and four above (the interview questions are appended to this report). Predetermined, open-ended questions were asked in eight areas:

1) Structure of the program (who does what, where, and why?);
2) Police perception of referral agencies in the community (choice criteria, contacts, complaints, etc.);
3) Goals and purposes of the program;
4) Historical development of program (where initiated and developed, funding sources, conflicts);
5) Changes in police department structure;
6) Community involvement (past, present and changes);
7) Impact of evaluators on program;

8) Involvement of administration in the program (closed-ended questions--importance of success, pressure, time spent, etc.)

Each interview was coded twice. The two coded versions were checked for discrepancies which were resolved in group meetings. The data were then keypunched for computer analysis.

The second major phase involved the collection of data from 100 randomly selected case files in thirty-three of the above thirty-five cities (the two omitted cities had information systems not capable, at the time, of yielding the case samples). The data from these three thousand or so case files were extracted, coded, and prepared for computer handling to deal with issues raised under aims two and three above. A few of the cities yielded less than 100 arrest cases during the three month data collection period.

AIM ONE: Development

The processes by which police diversion projects developed were complex and almost irretrievable as historical events. Two reasons for this exist. First, diversion projects range from highly structured, formal arrangements to very informal operations, and these latter in particular tend to be natural outgrowths of prior activities with no clear point of differentiation. Second, current project personnel often were hired or transferred into the project after its initiation and cannot serve as adequate sources of historical data.

As an example, the current status of diversion in the Los Angeles

Police Department properly should be referred to administrative changes in the Juvenile Bureau in the late 1960s, changes whose reverberations are still traceable today. Each of these reverberations since the abandonment of the large, centralized operation of the 1960s could be cited as the initiator of the current program; the choice would be arbitrary.

By way of contrast, the extensive diversion program in the Los Angeles Sheriff's Department has clear points of progress. These include a particular discussion between an initiating outside agency and an Assistant Sheriff, a decision to launch a one-station pilot program in 1970, a decision following that pilot program to expand to other stations and add a central staffing capability, and a plan (later successful) to obtain a major grant to evaluate diversion by establishing a controlled field experiment in nine stations.

As it happens, the contrast between the situations in these two very large departments mirrors that in the others involved in this research, in that the source of initiation (inside or outside the department) is one of several important, interacting variables. Also, it happens that the pattern illustrated above is reversed in the other departments, as we shall report.

In addition to time spent in various ways with the L.A.P.D. and L.A.S.D., we interviewed diversion personnel in 35 suburban departments which were confirmed as having diversion programs. One of these interviews yielded no usable information. In the other 34, we found eight unfunded programs being run informally on departmental budgets, 15 programs funded by L.E.A.A.

money via the regional criminal justice planning agency, and 11 others funded either by the California Youth Authority with "probation subsidy" money or by the city budget in a special appropriation. In other words, federal money is behind almost half of these programs, state money behind about a half dozen others, city money behind a few more, and in eight cases--no special money at all. So far as the departments are concerned, most are doing diversion because someone else wants them to.

In the course of the interviewing, it became clear that there exists a number of different structural types of diversion programs.* The most basic difference between them, both philosophically and structurally, was the distinction between inhouse programs and outside referral programs. That is, some departments took on an inhouse counseling staff while others used community based agencies as referral resources. On both sides of this dimension there were departments which felt strongly that their approach was the more appropriate. This development, in addition to our original intention to explore the interrelations among historical, structural and attitudinal factors, led us to make a series of crosstabulations among all variables judged to fall under each of these categories. The results were clear and strong.

First, as might be expected, inhouse programs are positively associated with the structural additions of new divisions or details and new staff (see Table I). Not so obviously, inhouse programs are positively associated

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* The following remarks were originally made at the 1975 meetings of the Pacific Sociological Association in Victoria, British Columbia and have been incorporated in edited form in a chapter manuscript prepared for the SAGE Publications volume, The Juvenile Justice System, edited by Malcolm W. Klein, due for publication in 1976.

with initiation of the program from inside the department. Conversely, programs using outside referrals were more likely to have remained structurally unchanged and were more likely to have been initiated from the outside-- usually by a state planning agency.

Second, inside initiation and inside development of the program are associated with structural changes and with having a period of civic funding, or no funding at all at some point in the program's history.

TABLE I.

Relationships among Structural, Historical, and Attitudinal Variables, stated in their positive form:

POSITIVE ASSOCIATION	Significance Level of X^2 *
Structural Variables	
1. Inhouse Programs associated with:	
a) addition of new divisions or details	.0377
b) addition of more staff to our operations	.0011
2. Outside referral Programs	
a) lack of new division or details	.0377
b) lack of staff additions to our operation	.011
Historical Variables with Structural Variables	
1. Initiation of Program from inside Department:	
a) Inhouse Program	.0014
b) Program started with no funding or city funding	.0631
c) Addition of more staff to your operation	.0872
2. Initiation of Program from outside Department:	
a) Outside Referral Programs	.0014
b) Outside government funding	.0631
c) Lack of addition of staff to our operation	.0872
3. Development of Program occurred within the Department:	
a) Program started with no fund or city funding	.0145
4. Development of Program occurred outside the Department with Government Agency:	

TABLE I.
(cont'd)

POSITIVE ASSOCIATION	Significance Level of X^2 *
Historical Variables with Structural Variables (cont'd)	
a) Program started with Government funding	.0111
b) Program never funded by city or unfunded	.0238
Structural Variables with Attitudinal Variables	
1. Addition of new division or details	
a) Mention of Crime and Delinquency rate reduction as a goal of program.	.0398
b) Belief that Crime rate will be reduced by program.	.0266
c) Mention that Diversion is more effective than other approaches to delinquency.	.0174
d) Belief that the program will be good for public relations.	.0004
2. Lack of addition of new division or details	
a) No mention of Crime and Delinquency rate reduction as a goal of program	.0398
b) Belief that crime rate will not be reduced by program.	.0266
c) No mention of diversion as being more effective than other approaches.	.0174
d) Lack of belief that the program will be good for public relations.	.0004
3. Addition of new staff Same relationships as under addition of new divisions or details.	
4. Lack of addition of new staff Same relationships as under lack of addition of new division or details.	
Historical Variables with Attitudinal Variables	
1. Initiation of Program from inside Department	
a) Mention that Diversion is more effective than other approaches to Delinquency	.0894
b) Do not mention inadequacy of counselors as a disadvantage of diversion	.0623

TABLE I.
(cont'd)

POSITIVE ASSOCIATION	Significance Level of X^2 *
Historical Variables with Attitudinal Variables (cont'd)	
2. Initiation of Program from outside Department	
a) No mention that Diversion is more effective than other approaches to delinquency.	.0894
b) Mention of inadequacy of counselors as a disadvantage of diversion.	.0623
3. Development of Program occurred within the Department	
a) Mention that Diversion is more effective than other approaches to delinquency	.0894
b) Mention that agencies are more effective in dealing with kids' problems than police.	.0288
4. Development of Program occurred outside the Department	
a) No mention of diversion as more effective than other approaches to delinquency	.0894
b) No mention that agencies are more effective in dealing with kids' problems than police.	.0288

* In some cases, significance levels cannot be relied on since expected cell frequencies are not always adequate.

The composite picture so far then, is one set of programs which were self-initiated and developed, which were operating without funds or with civic funding for a period of time, which have added staff, and which have an inhouse counselling arrangement. Another set of programs, initiated and developed with the help of outside agencies (usually the state planning agency) have always operated on outside government funding, have made no structural changes, and refer offenders to outside counselling agencies.

Perhaps more interesting, these historical and structural variables were found to be closely associated with certain attitudinal variables. As can be seen in Table I, these variables seem to represent a dimension of optimism versus pessimism about the program and its effects, including prospects for changing the crime rate, confidence in counselors, and possible effects on public relations. Clearly optimism is associated with the inhouse programs and pessimism with the outside referral programs.

Although there are some departments which have self-initiated, self-developed, self-funded programs which have resulted in structural changes in the department-- in short, a group of "committed" practitioners of diversion and referral-- there are more who cannot be so described. This latter group, making up a substantial proportion of the recent "explosion", has been induced from the outside to begin programs about which they are not especially optimistic. From our informal contacts and from data inferences, it is clear that the inducement is government money. The question immediately arises: what happens when federal money is withdrawn, as it inevitably will be? Does diversion become a thing of the past? Probably not for the self-initiated programs which are clearly operated by juvenile officers committed to diversion. However, it is just as clear, at this point, that the government-initiated programs will probably die unless something is done to change the attitudes of those officers.

In line with this last remark, it is appropriate to note that, in general, the government-funded projects started more recently than the self-initiated ones. It is possible that there has not been time for the officers in these programs to see positive results and therefore become

convinced of the merits of diversion. The opposite possiblity is, of course, equally possible. It might be advisable for the state planners to turn their attention to this problem. Succinctly put, funders must face the fact that rationales and commitment behind funding and planning at an administrative level do not necessarily filter down to the operating level of the juvenile officer.

AIM FOUR: Evaluation

Although out of numbered sequence here, the materials on Aim Four appropriately follow those of Aim One. The basic question is whether or not the presence of an evaluation component in a diversion project sufficiently alters the project to invalidate generalizations derived from the results of that project. The question was to be approached in two ways, through interviews with police personnel and through interviews with independent project evaluators.

That an evaluation can have some impact is clear from the experience with the experimental diversion project in the Los Angeles Sheriff's Department. The use of an experimental design and an independent university evaluator in that project led to unusual care in designating referrable youngsters, a slight increase in paper work, and greater attention to referral follow-ups. On the other hand, data collected during the project revealed that the offenders selected did not differ very appreciably from offenders referred prior to the project. That is, internal or procedural impacts seemed to have little effect on the offender selection process (Klein, 1975).

Turning to the interviews in 34 other cities, we find that seven of our police respondents had no knowledge of any evaluation while ten had detailed knowledge. The other seventeen could be classified as being aware of the existence of some evaluation but not particularly knowledgable about its nature or impact. On this score, the research team turned out to be more knowledgable than the respondents, for we were able to document some formal or informal evaluation component in 31 of the 34 cities. Thus our original question, does the presence or absence of an evaluation make a difference, became moot. Most programs were being evaluated in some fashion.

However, when we recall that only ten of our respondents were really clear on the nature of the evaluation and seven (one fifth of the total) knew of no evaluation, we must question how much impact these evaluations are having. After all, our respondents were carrying out the daily procedures of their diversion programs, and could be expected to be aware of changes occasioned by the imposition of evaluation mandates.

If the evaluation/no evaluation contrast is lost to us, we can still investigate the relative impact of types of evaluation. We found that sixteen of the projects were being evaluated by outside, independent researchers or research teams. In most cases, these projects were funded by L.E.A.A. or California Youth Authority funds. Of the fifteen inside evaluations, that is evaluations being carried out by department personnel, eight could be characterized as formal, and seven as quite informal. The basic distinction between formal and informal evaluations was whether or not any sort of written records on the program were being maintained. This is certainly a minimal statement of evaluation formality and reinforces the impression that these inside evaluations were not likely to have much program impact.

Data from the police interviews were prepared for computer analysis, and comparisons made between "inside" and "outside" evaluation sites on all interview items thought likely to reflect the impact of evaluation. It was expected that the outside or independent evaluations would have the greater impact on program procedures. But with one exception, we found absolutely no differences between projects with inside and outside evaluations.

The locus of evaluation made no difference in level of supervision, selection criteria, feedback procedures, or any other of the twenty-one variables investigated in the interview responses. The one exception was the tendency for projects with outside evaluators to select offenders who had one or two prior offenses rather than none. But other than this, no differences emerged.

Anyone experienced in action research knows that there is an intimate relationship that develops between the program and evaluation components of a project, each being affected by the other, occasionally quite profoundly. But not so in these diversion projects. Here, the salience of the evaluations has been low, their contribution to the projects quite negligible, and the financial and professional investment in them seemingly equally low.

This does not speak well for the evaluations, nor for the seriousness with which they have been solicited. It does not augur well for what we may learn from these projects. On the other hand, from the point of view of our question, it does suggest that fair generalizations from these thirty or more projects can be made without concern for their having been "contaminated" by obtrusive research procedures. We seem to be reviewing

"natural" projects, relatively unaffected by the requirements of research evaluation.

Having reached this conclusion some time prior to the writing of this report and during the time when we were expanding the data collection for Aims Two and Three, we questioned whether interviews with the independent evaluators would be a profitable use of our funds. A pilot interview with one evaluator was carried out, but yielded an unsatisfactory level of information; our procedures clearly were not eliciting what we thought might be available. It was decided not to commit ourselves to a series of further extensive interviews without first testing further their likely utility.

Accordingly, phone calls were made to two of the potential interviewees. The first reported that while the impact of his evaluation was great on the resource agencies in the community, it was to all intents and purposes non-existent on the several police departments with which it was concerned. There were no changes in attitude, structure, paperwork, or selection criteria.

The second phone call revealed that the "independent evaluator" had in fact been a graduate student whose dissertation was the diversion project. He initiated the program, did the referring, and evaluated his own success. When the dissertation was completed, so was the diversion. Again, we have a low-impact case.

Given these experiences and our conclusions that the various evaluations were of such little impact to our police respondents, we abandoned the plans for further interviews with evaluators. They could only have confirmed further the lack of connection between the diversion projects and efforts

at evaluation. As noted, in an earlier progress report, the bulk-- though not all-- of the evaluations we encountered were not well formulated, were minimal and often self-serving for the department, were not designed to reveal possible negative results. Consequently, the evaluation which could make a difference would have to be exceptional.

AIMS TWO AND THREE: Disposition Rates

During the course of the project, some minor modifications of aims two and three were made, so that these concerns were narrowed to two basic questions:

(1) What proportions of arrested juveniles are given certain post-arrest dispositions by the police and how do these vary across departments? Obviously our main interest here is in the proportions of offenders referred to community agencies.

(2) What characteristics of the juveniles and of their offense charges are related to the major disposition categories? This second question, for policy-related purposes, might be recast to ascertain whether referred juveniles are coming more from a pool of youngsters ordinarily counseled and released or more from a pool of youngsters ordinarily subject to the filing of petitions with the court.

Table II presents the overall data on 3025 case dispositions of juveniles arrested in 33 cities in January, February, and March of 1975. The proportion released (with or without referral) approximates the oft-cited national average of around fifty per cent. The referral rate of about eight per cent

is far greater than it was in 1970 when an estimate greater than one per cent might have been generous. Referral, in this instance, definitely means a referral to a community agency, usually private, and corresponds to what is mistakenly called "diversion" by many of the programs involved. Thus, two corollary conclusions might be drawn thus far: (a) over the past five years, referral rates have increased substantially and (b) due to the low initial rates, the current increase has not substantially affected release or petition rates over all departments.

TABLE II. DISPOSITION RATES OVER 33 CITIES

	n	%
Counsel and Release	1384	45.8
Community Referral	246	8.1
Other J.J. System Referral*	259	8.6
Non-detain Petition	574	19.0
Detain Petition	334	11.0
Other	228	7.5
TOTAL	3025	100%

* usually other police departments, or probation or parole officers

Table III presents the disposition data for the thirty three departments separately. To simplify reading, only the percentages are reported, and these only for the four dispositions of major interest in this report.

TABLE III. DISPOSITION RATES FOR EACH DEPARTMENT

Dept.*	Council & Release	Referral	Non-Detain Petition	Detain Petition
01	49.0	7.0	16.0	9.0
02	62.2	10.2	10.2	6.1
05	48.0	6.0	5.0	4.0
06	11.0	24.0	32.0	17.0
07	40.2	2.3	20.7	20.7
08	40.2	13.0	19.6	10.9
09	49.1	0.0	5.3	3.5
11	48.0	4.0	13.0	17.0
14	46.0	6.0	17.0	17.0
15	34.3	0.0	53.5	11.1
16	27.2	3.0	0.0	17.0
17	57.8	3.1	12.5	23.4
18	43.0	0.0	21.0	14.0
19	33.7	13.3	32.7	13.3
20	26.0	8.0	44.0	6.0
21	74.0	3.0	8.0	9.0
22	68.1	0.0	5.8	7.2
23	49.0	0.0	21.0	16.0
24	48.0	16.0	15.0	14.0
26	25.0	22.8	2.2	6.5
27	59.0	2.0	18.0	9.0
29	59.0	0.0	24.0	9.0
31	55.6	9.1	11.1	11.1
32	34.0	18.0	27.0	2.0
33	37.0	12.0	29.0	14.0
34	64.7	5.9	20.6	2.9
35	34.0	14.4	17.5	2.4
37	59.0	9.0	12.0	10.0
38	57.0	1.0	19.0	14.0
39	39.5	18.4	26.3	10.5
41	37.6	26.7	7.9	5.9
46	70.0	8.0	14.0	2.0
49	42.0	0.0	38.0	14.0

* Project code numbers for 33 of the 49 departments in L.A. County involved in this report.

A perusal of Table III reveals a good bit of variability in departmental practices. Counsel and release rates vary from a low of eleven per cent to a high of seventy-four per cent. Referral rates (in departments self-labeled as doing referrals) range from zero (seven cases) to 26.7 per cent. Non-detain petition rates fall between zero and 53.5 per cent, while detain petition rates-- those applied to the most serious cases-- range from two to 23.4 per cent. Earlier attempts to explain such variabilities (Sundeen, 1974, Klein, 1974) have proven fruitless. It is clear, however, that practice varies widely and this fact itself belies the notion that there is clarity on what should be done with juvenile offenders.

The question of whether referrals are coming more from the petition pool or from the release pool of offenders can now be addressed, although only tentatively. Looking at the seven departments with no referrals, we find that they have a mean counsel and release rate of 49.2 per cent, while the middle nineteen departments have a release rate of 50.8 per cent and the seven departments with the highest referral rates have a mean counsel and release rate of only 32.7 per cent. Since the corresponding differences in non-detain petition rates are negligible (19.7, 17.0 and 24.1 per cent), it seems likely that the referrals are primarily being taken from the release pool.

This finding fits well with what we learned from interviews with the juvenile officers. Their criteria for referral cases, they said, included less serious offenses, cases with few or no prior arrests, younger rather than older offenders, and offenders with a lower estimated probability of rearrest. These are precisely the kinds of cases which commonly receive counsel and release dispositions. If this pattern is continued and confirmed, it would

suggest that "true" diversion-- turning offenders away from the justice system who would otherwise be inserted into it-- has been displaced by the provision of referral and treatment for offenders who otherwise would have been simply released. This latter may or may not be a justifiable activity, but it is not what federal funds were supposed to promote.

To approach this question more directly, we can compare characteristics of referred offenders with those of both released and petitioned offenders. The model for this analysis is presented in Table IV which employs fabricated data as an illustration. Using age as a descriptive variable, the table shows in Column A the case in which 75 per cent of released offenders are younger than the median age and 25 per cent are over the median age. Similarly, Column C shows percentages for those receiving non-detain petitions, in this case with the percentages reversed because we would expect fewer younger and more older offenders to have petitions filed. We ignore detain-petition offenders in this analysis because these are the most serious cases and would seldom be considered for referral by the police.

TABLE IV. ANALYSIS MODEL

	A	B		C
FACTOR: AGE	Counsel & Release	1 Referred	2	Non-Detain Petition
Below Median	75	70	30	25
Above Median	25	30	70	75

The critical Question in such a table is whether the data in Column B

would resemble those in B_1 or B_2. Column B_1 shows ages of referred offenders far more similar to those of released offenders, suggesting that referral is used as an alternative for ordinarily released offenders; Column B_2 shows ages of referred offenders far more similar to petitioned offenders, suggesting that referral is used as an alternative to insertion further into the justice system. We will apply the model to four factors already known to distinguish consistently between released and inserted offenders; age, sex, number of prior offenses, and seriousness of the instant offense. Hopefully, the four factors will yield a consistent pattern in one direction or the other.

TABLE V. AGE PATTERNS IN THREE DISPOSITIONS: PERCENTAGES*

	Counsel & Release	Referred	Non-Detained Petition
Below Median*	53	63	47
Above Median*	47	37	53

*Median age is 15.4

With respect to age, the released and petitioned cases show reversed but not very different patterns. However, rather than falling in between these two patterns, the age difference in the referred condition actually exaggerates the release pattern; a higher proportion of referred offenders-- five out of eight-- are below the median age than is true not only of petitioned offenders but even of released offenders. Referrals are most commonly made among younger offenders.

*Differences in Tables V through VIII are all statistically significant beyond the .01 level; N's are over 2,000.

TABLE VI. SEX PATTERNS IN THREE DISPOSITIONS: PERCENTAGES

	Counsel & Release	Referred	Non-Detain Petition
Female	24	26	11
Male	76	74	89

In all cases, there are more male offenders. However, once again the proportions among the referred cases resemble the release proportions more than the petitioned proportions, in fact exceding the pattern by showing two per cent more females, the group generally accorded the more lenient treatment. So far, then, we can say that referred youngsters not only resemble the released ones more, but in fact are even more likely to be young and female.

TABLE VII. NUMBER OF PRIOR ARRESTS IN THREE DISPOSITIONS: PERCENTAGES

	Counsel & Release	Referred	Non-Detain Petition
No Priors	68	63	47
Priors	32	37	53

In this case, the referred pattern does fall between the other two as it surprisingly did not in Tables V and VI. However, once again the pattern for

referred offenders is more like that of the released than that of the petitioned offenders. Five out of eight referred offenders have no prior record. The trend across the three tables is thus very consistent.

TABLE VIII. SERIOUSNESS OF INSTANT OFFENSE IN THREE DISPOSITIONS: PERCENTAGES

	Counsel & Release	Referred	Non-Detain Petition
Below Median	79	71	49
Above Median	21	29	51

Offense seriousness was measured by use of the Rossi scale (Rossi et.al., 1975), reflecting general popular views of criminal activity. The pattern here is like that for prior records: the referred pattern falls in between the other two but is far closer to that of the release group. Thus we can now conclude that with respect to age, sex, prior record, and seriousness of instant offense, referred offenders resemble released rather than petitioned offenders and are in all likelihood drawn consistently from the former pool rather than from the latter.

Another way of demonstrating this pattern is to look at it among the seven cities with the highest referral rates (ranging from 14.4 per cent to 26.7 per cent). With four variables-- age, sex, priors, and seriousness-- in seven cities, we have twenty-eight opportunities to ask whether the referral pattern more closely approximates the release or petition pattern.

Of the twenty-eight opportunities, tied data or unexpected distributions prevent the comparison in nine cases.* In the remaining nineteen instances, there are seventeen in which the referrals approximate or even exceed the release pattern, and only two in which they approximate or exceed the petition pattern. In other words, the overall patterns we described above are explicitly and almost uniformly to be found precisely where they should be, in the departments putting out the greatest level of referral effort. It seems clear that to make this effort, the departments are turning to their normally released offenders.

As consistent as this pattern is, the strength of the conclusion can be increased by means of a further consideration. The reader may recall that the most serious offenders, those receiving detain petitions, were excluded from this analysis because they are so seldom even considered eligible for community referral. On the other end of the scale there is a similar group of very minor cases-- sometimes called "Mickey Mouse" cases-- which police officers are equally reticent to refer. A stereotype of such a case would be the ten year old daughter of a physician arrested for the first time by a patrol officer who spotted her on school grounds after curfew.

If cases like these were to be excluded from the release data as were the most serious from the petition data, then it would be even more clear that referrals are usually made as alternatives to release rather than as alternatives to system insertion. Obviously, the same effect could be created by including the detain petition cases in the analysis.

This analysis does not tell us why these particular offenders were referred

*An example of the latter is the city in which below-median serious offenses lead to petitions twice as often as above-median serious offenses.

rather than released; a different sort of investigation would be required to deal with that question. However, it does deal directly with the question originally posed about the characteristics of diverted versus referred youngsters. It suggests that there are indeed very few differences and that these diversion programs are referring for treatment a group of offenders who have not been diverted from the juvenile justice system. For such referral to mean diversion, we would have to be able to predict with some certainty that these referred youngsters would have eventually received petitions for future delinquent acts. Currently, there is no way to make such a prediction. In fact, most data analyses in the past would suggest that the bulk of these offenders would never be arrested again.

Having reached this stage in the analysis and their implications, we can now attempt to connect our concerns under Aim One with those under Aims Two and Three. Specifically, we turn our attention finally to two questions.

First, are the high referral departments more highly committed to referral as defined earlier; i.e. were they self-initiated, self or city funded, optimistic, and characterized by in-house counseling programs? Second, is this commitment variable, as so described, related to the tendencies to refer disproportionately with respect to age, sex, prior record, and seriousness of instant offense? More broadly, of course, we are using these two questions to ascertain whether there are relationships between structural characteristics of police diversion programs and the referral practices associated with those programs.

With respect to the first question, we expected high referral rates to predict positively to high departmental commitment to the program. Data

trends surprisingly suggest just the opposite. Of the seven high referral departments, five are among the lower commitment group. In direct contrast, five of the seven departments with no referrals in 100 arrest cases were among the high commitment group. We can only speculate on the reasons for this, but our suspicion is that the major acting variable here is the source of funding. We believe that a program, even one which as quite inactive, which was initiated and sustained primarily through local funding, reaches a level of activity satisfactory to itself. This includes low levels of activity.

By contrast, it may well be that outside funding-- L.E.A.A. or C.Y.A.-- "buys" a far greater rate of referral, but not a greater rate of personal commitment or enthusiasm. Further, since such funds are often used to purchase services from (and benefit for) outside agencies, there is little material gain for the police in this arrangement. Cognitive dissonance theory has spawned numerous studies showing an inverse relationship between size of reward as an incentive and satisfaction with task.

Another implication is that committed departments would refer more cases if they were given the outside funds to do so. Of course, funds usually go to the departments which do not, of their own accord, have referral programs.

Finally, what about the "committed" versus the "uncommitted" departments; do they tend to refer different types of offenders? Source of funding seems to be a pivotal variable and was central to the cluster of variables that characterized departments as more committed or as less committed to referral. Therefore, we undertook a comparison on the age, sex, prior record, and seriousness variables between departments which relied more on municipal

funds and departments which responded to the availability of federal or state funds.

We have suggested as a result of the previous analyses that the latter group-- the less committed-- were doing far more referring and reaching further into the counsel and release pool of offenders to accomplish their end. Thus it is likely that the less committed departments will refer more of the young, female, less serious offenders with no prior record than will more committed departments.

However, the data with respect to released, referred, and non-detain petitioned offenders do not show major differences, with two exceptions. Less committed departments tend to refer a smaller proportion of less serious cases-- contrary to our prediction. The figures are 67 per cent versus 79 per cent. The less committed departments also refer a higher proportion of offenders with no prior arrests-- in accordance with our prediction. This time the figures are 70 per cent versus 49 per cent.

But these were the largest differences to emerge. Age and sex ratios do not differ amongst referrals, and none of the four variables differ when comparing more committed versus less committed departments on released or petitioned offenders. Why should this be the case, given the strong pattern reported earlier?

The answer may lie in the approaches to analysis. When comparing extremes-- the seven highest referring departments and the seven non-referring departments, the dependent variable was commitment. In reversing this order, we have now built in the seven departments-- five of them being high commitment cases-- where there are no referrals. Thus we are now dealing with

a truncated distribution which works against the emergence of differences. Some of the prior analyses used all 33 departments with equal weight. This reverse analysis does not. Further, the earlier analysis, using the two sets of seven departments only, took advantage of the extremes of the distribution while this last analysis dichotomizes the distribution with the attendant "watering down" of effects occasioned by inclusion of middle range cases.

It will be well to remember that our conclusions work best in predicting from referral rate to characteristics of offenders, that they work reasonably well in predicting from referral rates to structural variables, but that they do not work in predicting from structural variables to characteristics of offenders. The causal connections in the latter direction may have become too diffused by intervening variables and processes (c.f. Sundeen, 1974).

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