

IV. Organizational Factors Affecting Police Discretion

In this chapter, we discuss factors related to the police force as an organization, drawing on organizational theory in general, and, in particular, its application to police organizations. We have deliberately avoided applying broad classificatory schemes such as Wilson's (1968) classic typology of watchman, legalistic, and service styles of policing. Our purpose in this report is not to develop a scheme for classifying Canadian police forces, but to identify specific aspects of their structure, operations, and orientation which affect the ways in which their members exercise their discretion in dealing with youth crime. Therefore, we present a list of organizational characteristics and discuss to what extent each of these appears to influence police decision-making.

This report was commissioned by the Department of Justice in support of the implementation and evaluation of the Youth Criminal Justice Act (YCJA). An understanding of the organizational factors affecting police discretion with youth is relevant to the implementation of the YCJA because almost all of these aspects of police organization are mutable. Police forces which want to modify the ways in which their members exercise their discretion with young offenders, in order to conform to the specific provisions and general intent of the YCJA, can effect change to most of the aspects of police organization and culture which are identified here as affecting the exercise of discretion – although organizational change can be difficult and fraught with risks and unanticipated consequences (Cordner & Sheehan, 1999; Grosman, 1975). Presumably, federal and provincial policy-makers in the areas of policing and youth justice can play a role in encouraging such changes.

The internal structure, processes, and orientation of an organization have a large effect on the behaviour of its members (Hall, 2002). In relation to the exercise of individual discretion, it is generally (though not universally) accepted that the more formalized, or *bureaucratic*, an organization is, the less opportunity, and perhaps motivation, its members will have to use their own judgment in carrying out their duties. Indeed, bureaucracy – by which we mean the application of rationality to organizational design and action through the formalization, standardization, and depersonalization of organizational roles and decision-making (Weber, 1947) – can be seen as a mechanism by which the organization exerts coordination and control over the decision-making of its members (Perrow, 1972: 56). In relation to policing, Grosman characterizes bureaucracy as:

...a refined organizational mechanism for the most efficient implementation of goals and the provision of services.
(1975: 31)

In the extreme case, bureaucratization can eliminate individual discretion and initiative:

...Impersonal rules delimit, in great detail, all the functions of every individual within the organization. They prescribe the behaviour to be followed in all possible events.
(Crozier, quoted in Hall, 2002: 168).

Bureaucratization is seen as one aspect of the modernization of policing (Murphy, 1991). The formal structures of police organizations, and their relationships with the performance of individual officers, have been studied by several researchers (Alpert & Dunham, 1992; Crank, 1990; Fisk, 1974; Franz & Jones, 1987; Harrison & Pelletier, 1987; Klinger, 1997; Morash, 1984; Riksheim & Chermak, 1993; Walker, 1992). Research has demonstrated that organizational factors do influence arrest rates for all offence categories to varying degrees (Crank, 1990, 1992; Slovak, 1986; Wilson, 1968). Aspects of police organizational structure which have been associated by researchers with police behaviour include: bureaucracy, professionalization, size, stability of assignment, and supervisor's span of control (Seagrave, 1997: 143-144).

In addition to the structure of the police service, officers are influenced by its orientation. The emerging role of the front-line officer involves prevention, diversion, and enforcement (Hornick et al., 1996). The basic organizational structure of a police department is built with these duties or functions as the cornerstones. Reiss (1974) contends that the exercise of discretion depends upon the task organization of law enforcement agencies. One concern is the minimization of organizationally induced role conflict. The organization can apply differential levels of stress, depending on the types of activities that management supports and encourages within the occupational environment (Skolnick, 1967). The management style of a police force may support or discourage the use of police discretion. If there is a lack of congruency between what police officers are officially supposed to do (use their discretion) and what they are in fact rewarded for, then there will be a high degree of role conflict, and the possibility of a higher reliance on formal action.

Wilson (1968) began the investigations into the jurisdictional variations in arrest rates from an organizational standpoint. He attributed policy style to the characteristics of the organization in relation to discretion. His research indicated three models of management styles: legalistic, service, and watchman. These, in turn, are strongly related to the structure of the police force, and to the environment in which it operates. In the legalistic model, there is an emphasis on the strict enforcement of laws, resulting in a limited use of discretion by officers. Under this law enforcement approach, universal standards are applied to all communities within a given jurisdiction. Further, departments that operate under this model lean towards a highly specialized division of labour involving a high supervision of front-line officers. Departments that exhibit high arrest rates are seen as using a more aggressive 'legalistic' police style (Crank, 1990; Slovak, 1986). Departments that adopt a 'service' management style are characterized by a decentralization of authority, a high emphasis on community relations, and front-line officers taking a broad view of their role through the exercise of initiative, independence and discretion (Wilson, 1968). Within the service orientation, community-based interventions are seen as viable alternatives to charging with less serious offences (Conly,

1978). Finally, departments who have adopted a 'watchman' model emphasize the maintenance of order and the status quo thereby limiting opportunities of initiative and the decentralization of authority and responsibility (Wilson, 1968). These organizational distinctions are determined by one or more factors that include either internal departmental policy, municipal government police policy, provincial child welfare and juvenile justice legislation, federal juvenile justice legislation, and resource allocations from these sources (Conly, 1978).

The distinction in management style appears most frequently when comparing urban and rural police forces. Crank suggested that the legalistic management and policing style is "a latent function of organizational survival in turbulent urban environments" (1992: 403) and that rural communities are in a better position to adopt a service model.

Organizational variables consistently explained more variance than environmental variables within urban departments (Crank, 1990; Swanson, 1978). Research conducted in British Columbia compared RCMP and municipal police officers and found differences in the constraints which their respective organizations place on the individual officer - with the RCMP being more bureaucratic and hierarchical (Seagrave, 1997). In short, these authors suggest that structural variation and its influence on police behaviour are likely to emanate from the organizational dynamics inherent within the management styles adopted.

According to Seagrave (1997: 144), there is practically no Canadian research on the relationship between organizational aspects of police services and the exercise of police discretion. In this chapter, we discuss the aspects of the police organization which emerged in the course of the interviews as possible influences on the exercise of discretion with young persons. Structural attributes include: the size of the police service, indexed by the number of officers; the degree of centralization, or horizontal differentiation into semi-autonomous divisions; the degree of hierarchy, or vertical differentiation into ranks and positions; the extent of functional specialization related to youth crime, and the locus of authority and responsibility to lay a charge against a young person – or to recommend charging, if the decision is made outside the police service. Aspects of the police agency's orientation which we examine are: the degree of proactive versus reactive policing; the level of support for community policing; the adoption of problem-oriented policing; and the level and types of involvement in crime prevention initiatives.

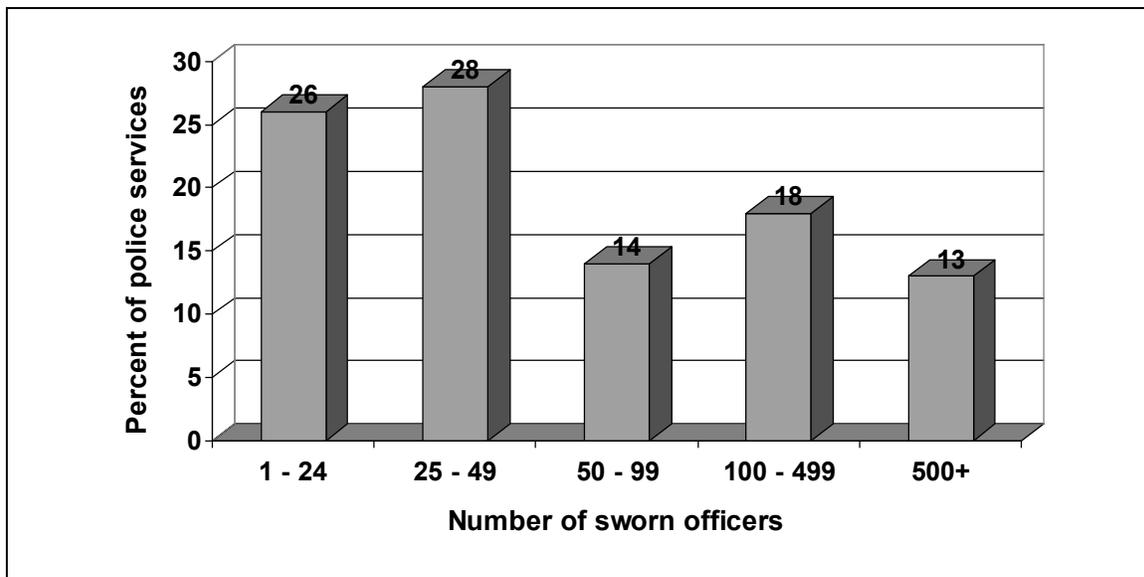
1.0 Size

The size of an organization – usually measured by the number of employees or members – is seen by some organizational theorists as its most fundamental characteristic, since so much else about the organization is determined by its size. The larger the organization, the more complex and bureaucratic it becomes, as those at the top struggle to coordinate and control the activities of more and more people (Blau & Schoenherr, 1971; Caplow, 1965; Grusky, 1961; Meyer, 1968). On the other hand, some organizational researchers

have found that organization size is not necessarily a crucial determinant of other organizational characteristics and behaviour (Hall et al., 1967).

The police services and detachments in the sample vary enormously in size. The smallest has 2 sworn officers, and the largest has 5,028. The average size is 274 officers, but the median size – i.e. the size of the police service which is midway between the smallest and largest in the sample – is 40 officers. The distribution of the size of the police organizations in our sample – measured by the number of officers – is shown in Figure IV.1.

Figure IV.1 Distribution of the sizes of police services in the sample

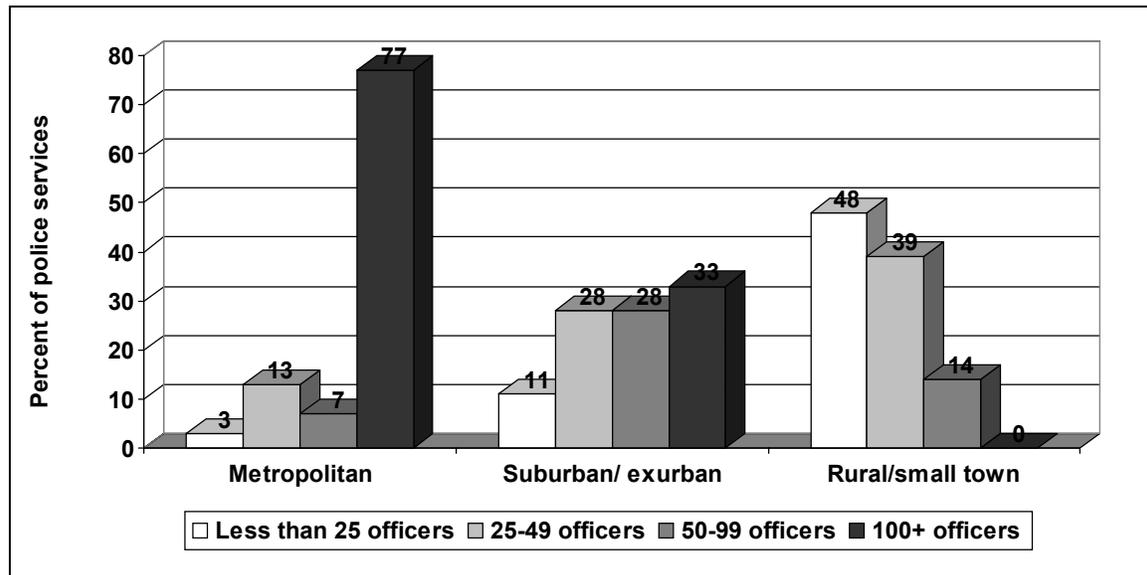


We did explore the relationship between the size of the police organizations in the sample and aspects of their exercise of discretion. However, we were unable to draw any conclusions from the interview data about the *impact* of organization size on police discretion, because of the confounding effect of community size. The size of a police service – unlike that of most other organizations – is very strongly determined by the size of the community which it serves (Figure IV.2). The ratio of community population to officers (“Pop to Cop” in police jargon) varies within only a narrow range in Canadian police services; rarely less than 500 or more than 1,000 (see, e.g., Dunphy & Shankarraman, 2000). Thus, all the aspects of police decision-making which are associated with the size of the community are related in just the same way with the size of the police service, and the impact of agency size cannot be distinguished from that of community size.¹ Since the size of the community is antecedent to the size of the police agency which serves it, we have treated the aspects of police decision-making from the

¹ This is true although, in our study, communities were not classified strictly by population (see Chapter III, Section 4.1).

interview data which are associated with both of them as effects of community size, and discussed them in Chapter III, Section 4.1, above; and will not repeat the discussion here.

Figure IV.2 Size of police services, by type of community



In Chapter III, Section 4.1, we found that rates of apprehended youth who were charged by police during 1998-2000, according to the UCR Survey, varied with the type of community: metropolitan police services charged, on average, 66% of apprehended youth, suburban/exurban services charged 57%, and rural and small town agencies charged 61%. There is no simple relationship between the size of the police service and its propensity to charge: the smallest agencies (1-24 officers) had the highest average rate of charging of apprehended youth (69%), followed by agencies with 100-499 officers (67%), 500 or more officers (66%), 25-49 officers (63%), and agencies with 50-99 officers (56%).

2.0 Centralization

In organizational theory, the terms *centralization* and *decentralization* refer both to function and to decision-making authority. Functional decentralization refers to the allocation of tasks among subunits in such a way that each subunit carries out all, or almost all, of the functions of the organization, but within a restricted domain. For example, a manufacturing business which has geographically dispersed units may be decentralized, so that each unit operates like an independent manufacturer, subject only to the control and coordination of the headquarters. Or it may be functionally centralized, with each geographical unit doing only one part of the business, and therefore unable to carry on business without the integrated cooperation of the other subunits. Decentralized

decision-making refers to the delegation of decision-making authority to subunits, under the overall coordination of headquarters; whereas centralized authority denotes the retention of decision-making authority in the hands of headquarters. Local discretion is increased, by definition, by decentralization of decision-making; and may also be increased by functional decentralization, since the necessity for headquarters to coordinate the operations of subunits is drastically reduced in a functionally decentralized organization (Hall, 2002: 73-74; Mackenzie, 1978: 195-242; Weber, 1947: 404). No organization of any appreciable size is perfectly centralized or decentralized: the key question is the “choice of which functions or activities are to be performed or controlled by a ‘headquarters’ unit” and which are to be delegated to subunits (Mackenzie, 1978: 201).

The concepts of centralization and decentralization can be applied at different levels to policing in Canada. At the national level, policing in Canada can be seen as relatively decentralized, since responsibility for policing is dispersed among ten provincial and a large number of municipal governments, with some participation by the federal government. Thus, there are a large number of entirely independent units, or police agencies, each providing a complete policing service to its geographical jurisdiction. This can be contrasted with the much more centralized form in Europe, where the national government exerts close control over policing (Grosman, 1975: 56). On the other hand, there is considerable centralization, in the form of the provision of policing services to many jurisdictions in Canada by three large police agencies: the Royal Canadian Mounted Police, Ontario Provincial Police, and the Sûreté du Québec. These three agencies offer the interesting paradox that although their involvement in municipal and rural policing represents a centralizing tendency, nevertheless they themselves have adopted, probably by necessity, a relatively decentralized approach to municipal and rural policing (see below).

However, under the pressures of modernization and professionalization, and the trend toward amalgamation of municipal services and municipalities in general, the broad structure of Canadian policing is becoming more centralized, as small, local police services are replaced by regional or provincial police agencies (Grosman, 1975; Murphy, 1991).²

At the municipal or regional level, the majority of Canadian metropolitan areas have one police force, which is responsible for the entire geographical area of that city or region (e.g. Toronto Police Service, Niagara Regional Police Service). Within its jurisdiction, the police force is organized into geographical divisions that have jurisdiction over a particular area of the city. However, other metropolitan areas have several autonomous police departments within the larger geographical city or region (e.g. Vancouver). It is difficult to determine the effect of this kind of geographical or jurisdictional centralization/decentralization on the use of discretion, although Conly suggests the

² This is particularly true in the Province of Québec; see Ministère de la Sécurité publique du Québec, 2002a, 2002b.

possibility of a shift from one model to another having a “significant implication for youth policing” (1978: 56).

Our own research suggests that Conly’s use of geographical jurisdiction as the criterion of centralization is less useful than a consideration of the internal structure of *individual police services*. Internally centralized and decentralized police agencies are responsible for entire geographic areas of a city or region, and for parts of a metropolitan area. We define a centralized police service as one which is characterized by close control exerted by headquarters over all policing activities within that agency’s jurisdiction. A centralized service may have several geographic divisions within its region; however, they are not autonomous, and all operations, policy, procedure, and programming are closely controlled by the central administration. In a decentralized police service, the geographic divisions, and even the neighbourhood sub-units, have considerably more autonomy (Seagrave, 1997: 208). Our hypothesis, derived from the organizational literature, is that decentralization increases the exercise of discretion by police officers. For example, Brown (1981b: 259) argues that decentralization has the effect of placing “...decision-making processes at the lowest possible or optimum levels,” while freeing top management to concentrate on setting objectives, defining strategies, and allocating resources.

Although police agencies in Canada, like most other organizations, fall along a continuum with respect to their degree of centralization, we classified our sample into two categories – centralized and decentralized - in order to analyze the impact, if any, of the degree of centralization on the exercise of discretion with youth. For example, we consider the RCMP contract provincial and municipal policing services to be a decentralized police agency. General direction is issued from Ottawa and the regional and provincial Divisional headquarters; however, much of the day-to-day procedure and crime prevention programming is determined at the detachment level. Similarly, the Toronto Police Service, which was classified as a centralized department by Conly (1978), is now decentralized under our definition, since our information suggests that each geographic division currently has considerable autonomy. In contrast, the Vancouver Police Department (classified as decentralized by Conly) is centralized in our classification, as the various divisions are all under fairly close control by head office.

Using this classification scheme, 48% of the police agencies in our sample are centralized and 52% are decentralized. However, 100% of RCMP and OPP detachments are classified as decentralized; whereas, only 20% of independent municipal forces are so classified. The relationship between the size of the police service and decentralization is curvilinear (Figure IV.3). The reason for this is that the smaller police services tend to be detachments of the RCMP and OPP, which are all classified as decentralized; and presumably the largest police services (with 500 or more officers) tend to decentralize because it is not feasible for headquarters to manage the volume of information and decision-making generated in such large organizations (Mackenzie, 1978: 213). Leaving aside the RCMP and OPP, *no* independent municipal services with less than 100 officers, and only 7% of those with 100 to 499 officers, are decentralized. Decentralized police agencies are found in all types of communities, as is shown in Figure IV.4.

Figure IV.3 Proportion of decentralized police agencies, by size of police service

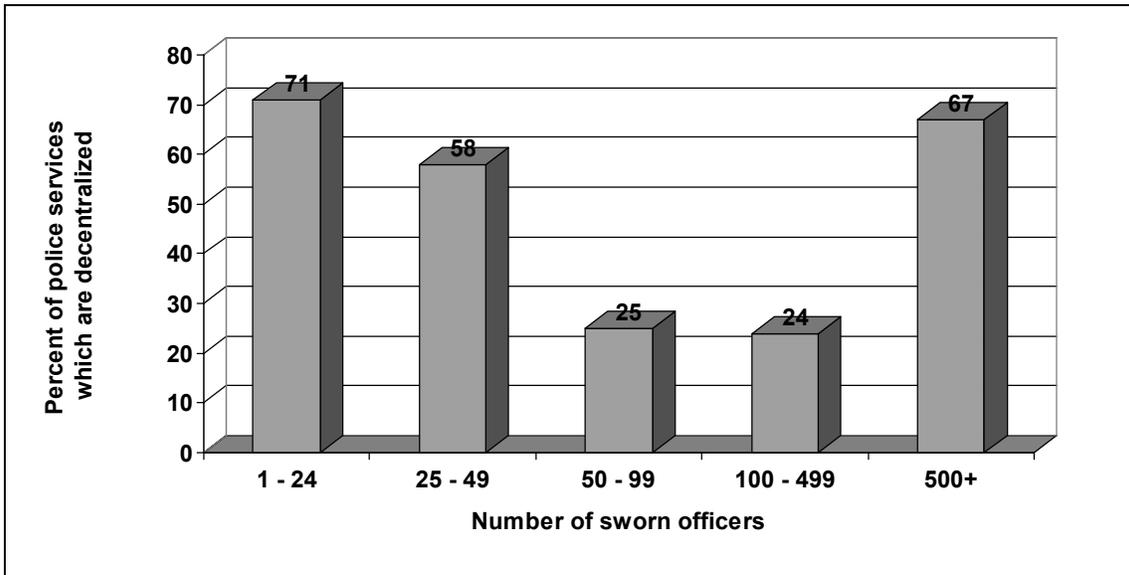
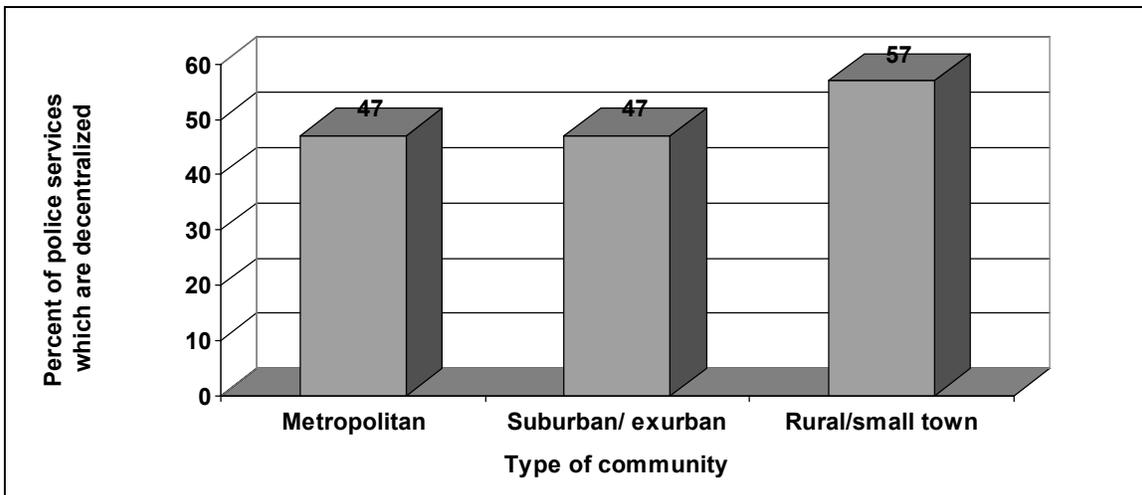


Figure IV.4 Proportion of decentralized police agencies, by type of community



These two groups do differ somewhat in their decision-making processes with young offenders.

Decentralized police agencies are more likely to say that they use informal action (89%) than centralized ones (64%). In choosing modes of informal action, decentralized agencies are also more likely to take a young person home (85%) than centralized agencies (64%). No differences were evident for other forms of informal action.

No difference was found between the proportion of apprehended young persons who were charged (according to UCR data for 1998-2000) by centralized and decentralized agencies, when other related factors, such as the type of policing and type of community were controlled. Due to small numbers, the only comparison which could be made using UCR2 data was between centralized and decentralized *municipal* police services in Ontario – and even this must be interpreted with caution, since only four of each type of agency reported to the UCR2 in 2001. The four centralized agencies charged, on average, 80% of apprehended youth and used informal action with 18%. The four decentralized agencies charged 72%, and used informal action with 26%, of apprehended youth.

According to the interviews, the use of pre-charge alternative measures involving community based restorative justice is more prevalent among decentralized agencies (35%) than centralized ones (16%).

Differences in methods of compelling appearance are also evident. Decentralized police services are twice as likely to say that they “rarely” use an appearance notice (42% versus 20%) but are more likely to say that they use a summons with minor offences (50% versus 30%).

When officers arrest and bring a youth back to the police station, those in decentralized agencies are more likely to release the young person on a promise to appear (56%) than centralized services (36%). Similarly, 75% of the decentralized agencies gave “release without detention” as a reason to use a PTA, compared to 45% of the centralized police services. Decentralized agencies are also more likely to mention using a PTA “with a minor offence” (21% versus 9%) and/or with an OIC undertaking (71% versus 50%). Decentralized agencies are twice as likely as centralized ones to attach the conditions of no go, no association, keep the peace and be of good behaviour, no alcohol or drugs, and a curfew.

These findings are not due to a systematic difference in the type of community in which these two types of agencies work, as decentralized agencies exist in all types of communities (see Figure IV.4). What these findings, and our discussions with officers, suggest is that decentralization may permit decision-making which is informed by the nature and “needs” of the community (cf. Normandeau & Leighton, 1990). In a decentralized agency, officers on the street have more influence on the formulation and interpretation of policies and protocol. This can result in decision-making processes that reflect the types of youth-related incidents these officers encounter and not a prescribed formula for the use of formal action.

Therefore, it is at first puzzling that 42% of the decentralized agencies in our sample “almost always” arrest and detain “due to departmental policy” compared to one-quarter (27%) of the centralized agencies. The reason for this anomaly is that a substantial number of the police services which we have classified as decentralized are detachments of the OPP (see above). The OPP presents an interesting combination of centralization and decentralization, which to some extent defies our simple dichotomous classification.

Policy and protocol are developed by, and implemented from, OPP Headquarters in Orillia. However, OPP detachments police rural areas and small towns across the province, and each detachment tends to develop programming in response to the nature of the local community. Our interviews with OPP officers (who came mainly from detachments in Northern Ontario) suggest that, on the whole, OPP detachments have enough operating autonomy and responsiveness to the community in their decision-making with young offenders to be classified as “decentralized” agencies. Nevertheless, in the particular matter of which youth-related offences “almost always” result in arrest and detention, their decisions are determined by policy issued by Headquarters.

There are some small differences between centralized and decentralized agencies in the reasons given for detention for a JIR hearing. Decentralized police agencies are more likely to say that they “follow the law” when detaining young offenders (92% versus 73%). Similarly, they are also more likely to say that they will detain a youth who has multiple breaches of probation, OIC undertakings, and bail conditions (46% versus 27%). They are twice as likely as centralized agencies to say that they will detain a repeat offender (63% versus 32%).

These findings suggest that this aspect of organizational structure does have an influence on police decision-making with young offenders. However, the *degree* of influence cannot be measured precisely with these data. What we concluded from discussions of this issue with police is that centralization may limit the opportunities for adaptation to local conditions, and the exercise of police discretion with youth. This is consistent with the organizational literature: according to Mackenzie (1978: 203), writing about decentralization in business organizations, “...Each division knows its own markets and conditions better than headquarters”; and Hall (1972: 228) writes, “...delegation and decentralization...allow increased flexibility and discretion”.

3.0 Hierarchy

The degree of hierarchy in an organization can be measured in various ways (Hall, 2002). One simple approach is to count the number of vertically differentiated positions. In a police service, vertical differentiation has two manifestations: the functional position of authority, such “Officer in Charge of the GIS Division”, and the rank. These two hierarchies are so closely correlated that they can be considered together. The typical authority/rank structure has three levels: (i) Executives/Upper Management (the ranks of Chief, Deputy Chief, Superintendent), (ii) Middle Management (Inspector, Staff Sergeant, Sergeant), and (iii) Front-line (Constable). Variations depend mainly on the size of the force. For example, some Ontario police services have nine ranks, with the addition of Staff Superintendent and Staff Inspector. Smaller police forces may exclude the rank of Superintendent, Inspector and Staff Sergeant. In comparison, a very large police force such as the RCMP, has ten ranks. On May 1, 2001, the RCMP had 20,866 members, classified as follows: Commissioner (1), Deputy Commissioner (6), Assistant Commissioner (25), Chief Superintendent (46), Superintendent (106), Inspector (284), Staff Sergeant (677), Sergeant (1,499), Corporal (2,770), and Constable (9,698) (Royal

Canadian Mounted Police, 2002).³ Some police forces have eliminated the position of Inspector in order to flatten the hierarchy (e.g., Edmonton Police Service), and the RCMP has been reported to be considering reducing the numbers of officers in middle management (Seagrave, 1997: 39).

The literature on policing has drawn attention to the links between the degree of hierarchy in the department, and the exercise of police discretion. According to Brown (1981b: 259), Canadian police forces in the 1970's had too many levels of hierarchy: "...The resulting many-layered command structure precludes effective decentralization of services, and is dysfunctional from the point of view of attaining organizational goals." However, much research on this issue has been unable, or uninterested, to distinguish between the degree of hierarchy, the size of the police service, and the type (or size) of community which is being policed, all of which are highly correlated. Our own results, reported below, suffer from the same difficulty in distinguishing among these related phenomena.

Some research suggests that the probability of arrest increases as police departments become larger and more hierarchical, with increasing rank differentiation in middle and upper management (Smith & Klein, 1994).⁴ Officers in larger departments with more ranks tend to have fewer constraints on their use of discretion by supervisors, and tend to make *greater* use of arrest. This illustrates the interesting anomaly that "the police department has the special property...that within it discretion increases as one moves down the hierarchy" (Wilson, 1968, cited in Reiner, 1997: 1009). On the other hand, in smaller departments with fewer ranks, officers spend more time on routine patrol in the community and are likely to be more lenient in their enforcement practices of charging (Brown, 1981a; Mastroski, 1981). None of these studies examined the effects of rank structure specifically on the processing of youth.

In classifying our sample of police services by the number of ranks, we classified detachments of the RCMP and OPP according to the number of ranks present in that detachment, not in the overall organization. The number of ranks in police agencies in the sample varies between 1 and 12, with an average of 4.8 ranks, and a median number of 4 ranks. However, the most common number of ranks in the agencies in the sample is 3. The sample is distributed fairly evenly: 36% of agencies and detachments have one to three ranks, 37% have four to six ranks, and 27% have seven or more ranks. The amount of hierarchy is strongly related to community size and to the type of policing, as Figures IV.5 and IV.6 show.

According to the interview data, there is very little variation in the use of informal action by the number of ranks. However, agencies with one to three ranks are slightly more likely to use informal action (91%) than agencies with more vertical differentiation (81%).

³ The total 20,866 also includes 1 Corps Sergeant Major, 3 Sergeant Major, 89 Special Constables, 2,140 Civilian Members, and 3,521 Public Servants (Royal Canadian Mounted Police, 2002).

⁴ Smith & Klein (1994) used an index of bureaucratization which combined organization size, the number of ranks, and the number of occupational titles.

Figure IV.5 Degree of hierarchy in police services, by type of community

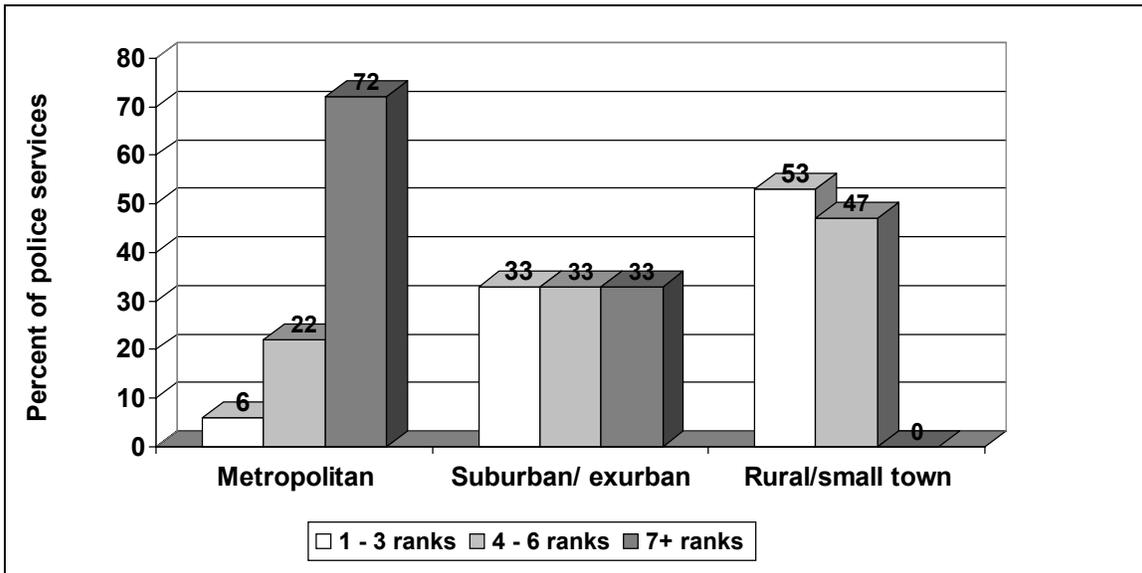
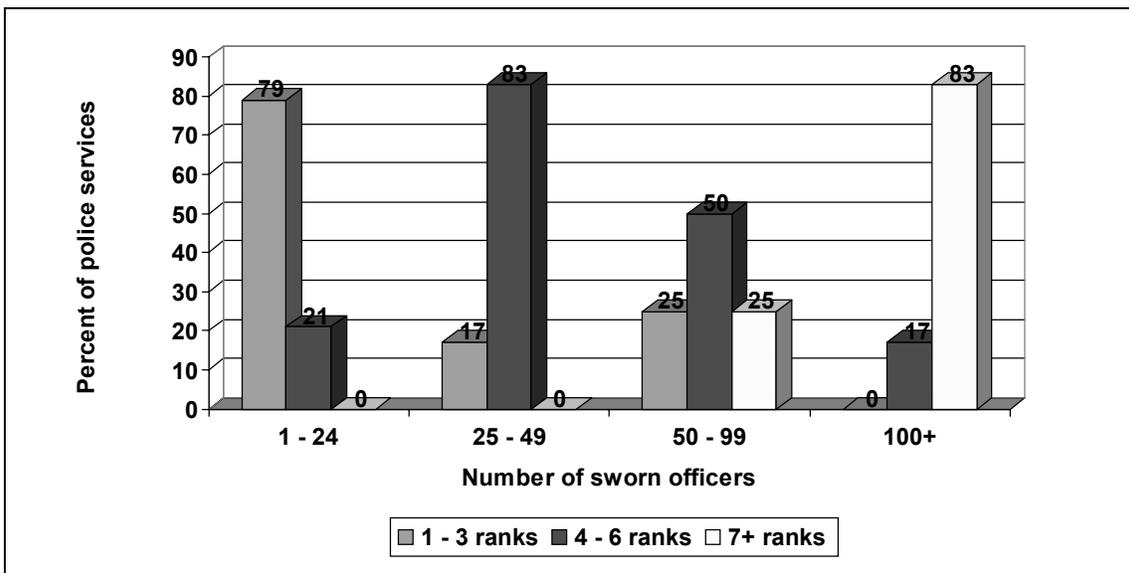


Figure IV.6 Degree of hierarchy in police services, by size of police service



Analysis of UCR data on the proportion of apprehended youth who were charged revealed no significant differences in charging related to the degree of hierarchy, but the analysis was hampered by missing data and the confounding effect of related variables, such as the type of policing and community, and the size of the police service.

Police agencies are more likely to use pre-charge diversion as the differentiation in ranks increases. 69% of agencies with seven or more ranks indicated they use pre-charge

alternative measures compared to 50% of those agencies with four to six ranks and 43% of those with one to three ranks. We suspect that this may be as a result of a higher degree of specialization (e.g. Youth officers, School Resource officers) or the greater access of larger police agencies to external resources. There were no differences in the use of post-charge alternative measures. Police agencies with four or more ranks are more likely to find alternative measures “usually” effective (69%) than agencies with one to three ranks (35%). In addition, 50% of agencies with one to three ranks find alternative measures “occasionally” effective. This is consistent with the finding that agencies with one to three ranks are less likely to use alternative measures with minor offences. Again, several confounding factors may play a role. First, our data suggest a lack of available pre-charge diversion programs in rural and small town areas, which tend to have smaller police services or detachments, with one to three ranks. Second, police services in rural and small town areas are likely to be less formal in their enforcement practices (Brown, 1981a; Mastrofski, 1981).

There are no apparent differences in the use of summonses, appearance notices, or OIC undertakings, by degree of hierarchy. However, some interesting patterns emerge concerning the use of a Promise to Appear and the reasons given for detention for a judicial interim release hearing. Agencies with seven or more ranks are more likely to use a PTA as a “higher consequence” (38% versus 12%). This does not appear to be due to the type of community. Since police services in rural and small town areas are less likely to say that they detain youth because of repeat offending, it is not surprising the same relationship occurs for agencies with one to three ranks (38%), compared to agencies with four or more (70%). Only 14% of the agencies with one to three ranks suggested that they “almost always” arrest and detain repeat offenders, compared to 58% of the agencies with four or more ranks. Agencies with seven or more ranks are twice as likely to detain a young offender “if s/he is [already] before the courts” as agencies with fewer ranks (50% versus 24%).

Overall, what these findings suggest is some distinctiveness in decision-making with youth in agencies with three or fewer ranks, versus those with four or more; and also some differences within the latter group. The degree of hierarchy does appear to have an effect on the use of informal action and the use of detention with young offenders. However, as other researchers have found, it is difficult to disentangle the effects of vertical differentiation itself from the effects of agency and community size.

4.0 Specialization

In organizational theory, the term *specialization* is used in two different ways. It can refer to a division of labour among units of the organization- i.e. the division of the organization into specialized units, each of which has a particular task to perform – or it can refer to a division of labour among the individual workers in the organization, each of whom is a specialist in a particular type of work (Hall, 2002: 52-54). We use the term primarily in the former sense, and are particularly interested in specialization in the handling of youth crime and young offenders: that is, to the existence of a unit in the

police organization which specializes in youth crime – often called a youth squad, youth section, or youth bureau. However, in smaller police agencies, this “unit” may consist of one or two officers who are assigned to handle youth-related incidents, and who may work in a larger unit – such as the GIS or patrol - which is not itself a specialist youth unit.

The decision to have a specialized youth unit or youth officers is an internal policy decision made within each police force (Conly, 1978).⁵ According to Leeson and Snyder, “during the late Fifties and early Sixties many police forces [in Canada] established specific sections within their organizations to deal with the juvenile offender” (1981: 197-198). According to Conly, in 1976, some police forces had adopted a *specialized* approach by maintaining a separate Youth Section/Bureau (e.g. Toronto, Ottawa-Carleton, and Calgary police services). In this model, incidents with youths were referred to the Youth Bureau for further investigation. The underlying philosophy in specialized forces is that police work with youths is a separate function that requires special investigatory skills (e.g. interviewing parents, social workers, teachers, etc.). Other police forces (e.g. Vancouver⁶) adopted a *generalist* approach, in which all front-line officers handled youth crime. Some respondents in 1976 suggested that in order to reflect the degree of youth crime, the personnel requirements for a specialized unit would be too high, and that specialization can lead in the end to “bureaucratic inefficiencies, communication problems, delays”, and unnecessary referrals (Conly, 1978: 45).

Conly identified three procedural models for investigating cases with a suspected young person. Within a *non-specialization* model, procedures are essentially identical to those involving adult suspects. This model is generally found in police forces that do not maintain a specialized Youth Section to respond to incidents involving youth. A *partial specialization* model is used predominantly by forces which have a Youth Section. This model involves using regular front-line officers to conduct the initial investigation (first-contact) and Youth Officers are asked to assist or take over the investigation in subsequent stages. For example, a front-line officer would make the initial decision whether the incident is founded or unfounded, and, if founded, would then call in a Youth Officer to continue with the case. Finally, a *complete specialization* model entails Youth Officers handling all aspects of police-juvenile encounters.

In contrast to specialized youth bureau work, patrol work is territorially defined (Klinger, 1997). Patrol officers, like members of other occupations who work with people, may develop theories about the neighbourhoods and people which they police, that are used as “recipes for interpreting and labelling their daily activities” (Cicourel, 1968: 105; Meehan, 1993). Police administrators can try to establish guidelines for discretion but an officer’s predispositions are affected by a range of formal and informal rules, guidelines, and procedures that are shaped by the nature of patrol work (Brown, 1981a; Klinger, 1997). The work of general patrol officers and specialized youth and school liaison

⁵ This and the following paragraph rely mainly on Conly (1978), whose characterizations of many specific police forces is out of date.

⁶ Vancouver moved from a specialized to a generalized approach when the Youth Section was disbanded in 1973 (Conly, 1978) (but has more recently returned to a specialist approach).

officers have differences and similarities, which depend on how their duties have been defined within each organization.

Conly (1978) suggested that Youth Bureaus have two characteristics which lead to a higher recorded rate of contact with juveniles. First, specialized Youth Officers take a more proactive approach to policing youth through the primary and secondary crime prevention programs that are developed internally (e.g. D.A.R.E. in Peterborough, S.H.O.P. in Calgary; Hornick et al., 1996). These programs lead to a higher familiarity with local area “hang-outs” and periodic checks on youths previously contacted (informally or formally). Second, there appears to be a stronger emphasis on recording police-youth encounters within specialized forces. Conly (1978) reported that the use of diversion (no charges laid) was 63% in police forces with a Youth Section compared to 45% in those departments adopting the generalist approach. For example, in 1976, Toronto had the largest number of total contacts coupled with one of the lowest charge rates (Conly, 1978).

Although police agencies with youth sections tend to have higher rates of recorded contacts, they also tend to make more use of informal action and referrals to social agencies, and less use of charges, than generalist agencies. This observation is consistent with general organization theory, which proposes that personnel in specialized units tend to have more scope for individual discretion, or “decentralized decision making” (Hall, 1972: 170). According to Grosman, “...The Chief also engages in important enforcement policy-making when, for example, he decides to create a juvenile program by setting up a juvenile unit...[which]...may ultimately involve a higher diversion of juvenile offenders out of the criminal process” (1975: 79). Leeson and Snyder characterize the Ottawa Police juvenile section in the 1970’s as an “information and referral centre” (1981: 203): its impact on the handling of youth-related incidents can be inferred from the fact that of 1,831 chargeable offences involving youth in 1977, 1,432 were diverted (1981: 206).

Similarly, Gandy’s (1970) study of the handling of youth-related incidents by the Toronto Police Service in the 1960’s found that members of the youth bureau were more likely to use discretion with juveniles, and much more likely than non-youth bureau officers to make referrals to social agencies. Doob came to a similar conclusion from a study of the youth bureau of a “southern Ontario regional police force”. He found that officers in the youth bureau were charging only about 13% of apprehended juveniles, and concluded: “a Youth Bureau can do an effective job of screening many juveniles out of the formal system...” (1983: 161).

4.1 Youth squads and dedicated youth officers

81% of the police services in our sample do not have a youth section or a dedicated youth officer,⁷ and therefore operate under the generalist, or non-specialization, model.

⁷ By “dedicated”, we refer to the assignment of the officer exclusively to youth-related duties, not to the quality of his or her commitment.

According to officers in many agencies, this reflects the widespread disbandment of youth sections and other specialized units during the 1990's, under the pressure of financial retrenchment. Youth-related incidents are handled by generalists, or by specialists for certain types of crime (e.g. break and enter, whether involving youth or adult suspects, would be assigned to GIS). Of the 17 police services in our sample which have youth sections or dedicated youth officers,⁸ 15 have a youth squad that performs follow-up on youth-related incidents (partial specialization model), and 2 have youth squads which actively patrol and also do follow-up on patrol initiated investigations (complete specialization model).

Another dimension of variation concerns police agencies which are accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). To the best of our knowledge, Edmonton Police Service, Winnipeg Police Service, Niagara Regional Police Service, and Peel Regional Police are the only services in our sample which are accredited by CALEA⁹. This has implications for the effect of the presence of youth squads on police decision-making with youth. CALEA stipulates the following in regards to juvenile operations:

- Standard 44.1.1 A written directive establishes the agency's juvenile operations function, and includes, at a minimum, the following:
- a. a statement that the agency is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency; and
 - b. a statement that the responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel (Cordner & Sheehan, 1999: 78).

All CALEA-accredited police services in Canada have youth policy and protocol that clearly affirms these two stipulations and defines the operating parameters of their youth officers and SLOs.

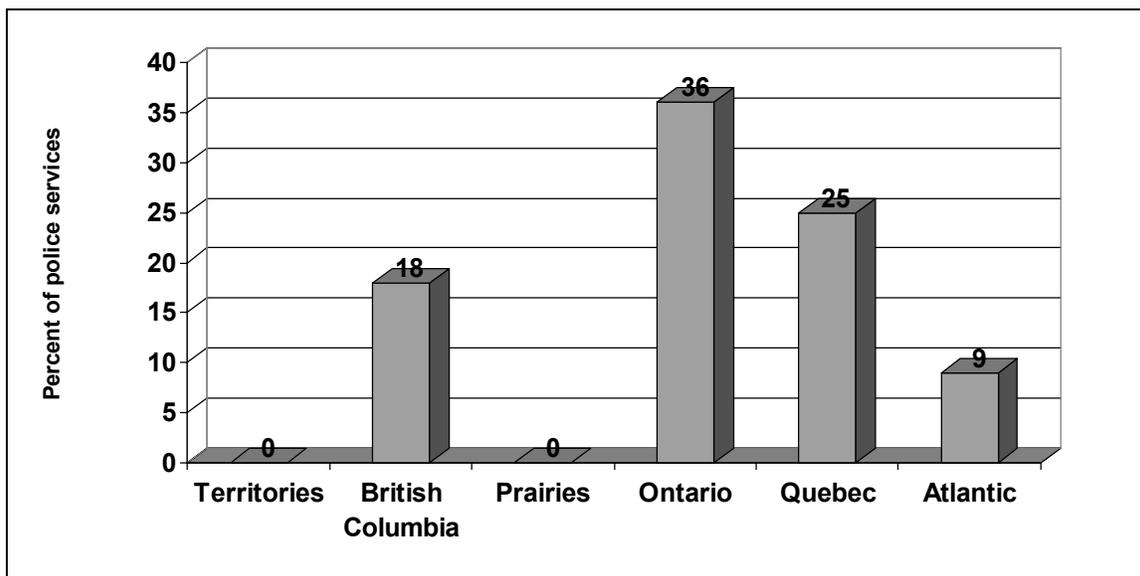
Because there were only two agencies in the sample using the *complete* specialization model, we analyzed the impact of specialization on the exercise of discretion using a simple dichotomy which combined the complete and partial specialization categories: specialization model (youth squad or dedicated youth officers: 19% of the sample), and the non-specialization, or generalist, model (no youth squad: 81%).

⁸ In some cases (e.g. some smaller RCMP detachments, having only a few officers), a Community Service/Relations Officer or Crime Prevention officer may also act as the dedicated youth officer, in practice if not in name. We classified these as non-specialized, due to the many non-youth-related duties assumed by such officers.

⁹ According to CALEA Online, Camrose and Lethbridge Police Services have also received CALEA accreditation (Commission on Accreditation for Law Enforcement Agencies, 2000). Neither of these services was in our sample.

All 17 agencies in the sample which have a youth squad are independent municipal police services. This is probably primarily due to the difficulty of maintaining specialization in the smaller provincial police (and RCMP) detachments: only three of the agencies with youth squads have fewer than 100 sworn officers, seven have between 100 and 499 officers, and seven have more than 500 officers. Thus, 58% of the largest police services in the sample (those with more than 500 officers) have a youth squad, compared with 41% of the mid-sized agencies (100 to 499 officers), and only 5% of police agencies with fewer than 100 officers. Not surprisingly, 43% of police services which we classified as metropolitan have a youth squad, compared with 11% of suburban/exurban agencies, and only 5% of rural and small town agencies. The regional distribution of police services in the sample with a youth squad or dedicated youth officers is shown in Figure IV.7.

Figure IV.7 Regional distribution of police agencies with youth specialization



The maintenance of a youth squad or dedicated youth officers is not an easy option for many police agencies and detachments, due to financial and human resources constraints. Our data suggest that police services with youth sections and/or dedicated youth officers respond differently to youth-related incidents. In particular, it appears that the use of referrals to external agencies, pre-charge diversion, views on feedback from alternative measures, the use of formal charges, and the methods to compel appearance are different for agencies that have a youth squad.

Statistical data from the UCR Survey suggest that agencies with youth specialization are less likely to charge apprehended youth. Among metropolitan police agencies in the sample, those with a youth squad charge 65% of apprehended youth, versus 75% for those with no specialization. The few rural and small town agencies in our sample which

have youth specialization charge, on average, 53% of apprehended youth; those without specialization charge 57%. There is no difference in charging among suburban/exurban agencies, which charge 64% of apprehended youth, regardless of the existence of a youth squad.¹⁰ Thus, it is in the metropolitan policing environment that a youth squad appears to make the most difference in charging practices.

Some additional insight can be gained from UCR2 data on the clearance status of youth-related incidents. Of the 50 independent municipal police agencies in our sample, 31 reported to the UCR2 in 2001. There were too few suburban/exurban or rural/small town forces to analyze this variable. However, among metropolitan forces with youth specialization, the mean percentage of youth-related incidents cleared by charge was 69%, versus 77% for those without youth specialization. The mean percentage of incidents cleared by informal action was 27% for metropolitan forces with youth squads, versus 17% for generalist metropolitan police services. However, metropolitan services with youth squads cleared only 2% of incidents by pre-charge alternative measures, versus 5% for those without a youth squad. This is puzzling in view of the many claims that youth squads facilitate referrals to external agencies. There are two possible explanations. Most of the metropolitan police services with youth squads which were in our sample and reported to the UCR2 were in Ontario, where pre-charge AM is virtually non-existent. The other possible explanation is that many of the referrals to outside agencies made by specialist youth officers may be to programs which are not formally designated as alternative measures, and may be coded in the UCR2 return as informal action rather than pre-charge diversion.

The interview data suggest that police services with a youth section or a dedicated youth officer are more likely to refer youth to external agencies (76%) than police services without youth specialization (61%)¹¹. However, this percentage difference does not capture the qualitative difference between specialized and non-specialized agencies. Innovative referral systems have been developed within agencies that have youth sections (e.g. Windsor Police Service, Ottawa Police Service). Further, many of our interviewees (whether youth officers or not) suggested that a dedicated youth officer facilitates interactions between the police and youth in order to provide counselling and referrals to stem future behavioural problems. Interviews with youth officers suggest that the specialization of youth officers is crucial to adequate follow-up with youth who are in crisis. One officer stated, “without a youth section, how are we supposed to get at the root cause of their behaviour in order to use community-based resources as alternatives to youth court?”. One example of cooperation with external agencies was found at the Victoria Police Service. The primary officer involved describes the program as follows:

CRAT stands for the Capital Region Action Team, which is co-chaired by a couple of city councillors, basically to do

¹⁰ However, there were only two suburban/exurban forces with a youth squad – an inadequate number from which to generalize.

¹¹ Further, during the interviews, officers working in agencies with a youth squad or dedicated youth officer emphasized their commitment to using informal warnings, consistent with findings by Hornick et al. (1996).

with sexually exploited youth. I'm part of that. There's a health [component that includes] a CRT doctor [...]. As a part of that, this capital action team for support of youth, which is myself [...] partnered with a youth worker. The money to fund her position [...] a one-on-one worker came from the federal government crime prevention association. They gave almost \$495,000 for the project. So basically what it is, [is] someone from the social services side, a youth worker, [who] worked for the Boys and Girls Club, and myself, as a partnership, and our mandate is identification, interventions, preventions, for sexually exploited youth and referrals to housing, resources, drug and alcohol, trying to get them out of the trade, and charges, if we get charges on the pimps, stuff like that.

This partnership operated as a proactive enforcement team that interacted with young female prostitutes. Unfortunately, at the time of our interview this successful program's future was in question due to a funding uncertainty. Many of the innovative programs we encountered that involve community partnerships and external resources tend to exist within police agencies that have specific resources allocated to youth-related issues and enforcement. For example, the Vancouver Police Department runs three special cars out of the Youth Section. Each car has a youth officer who is partnered with a psychiatric nurse, a social worker, or a probation officer. The Royal Newfoundland Constabulary has created action committees that are drawn together for high risk youth. These committees contain representation from social services, the school, and police. We also found that acting as a resource to patrol and GIS officers increased the likelihood of referrals to external agencies and resources *even* if the investigating officer decided to proceed by way of charge.

The use of post-charge alternative measures did not differ for agencies that have a youth section or dedicated youth officer. However, there are systematic differences in the use of pre-charge diversion programs. Police services with youth squads are three times as likely to have established pre-charge programs with the John Howard Society, Boys and Girls Club or similar organizations (35% versus 11%). They are also more likely to use pre-charge diversion with youth-related incidents (65%) than agencies that do not have youth specialization (46%). There is also a higher likelihood that an internal pre-charge diversion program exists. Thus, it is not surprising that police services with a youth squad are slightly more likely to find feedback on alternative measures useful (83%), compared to other agencies (74%). Knowledge of "what works" is important to youth officers, as they actively promote these alternatives to all officers within the police agency.

It appears that a constellation of factors interact within the police agencies with youth squads or dedicated youth officers. For example, agencies with youth specialization are more likely to have officers available to spend more time with the youth and their parents. As a result, there are higher levels of parental involvement in youth-related

incidents in these agencies, and informal action is more feasible. We are not suggesting that general patrol officers do not also consider involving parents. We do suggest that youth officers are able to involve the parent(s) more effectively than patrol officers due to their ability to spend more time dealing with the incident.

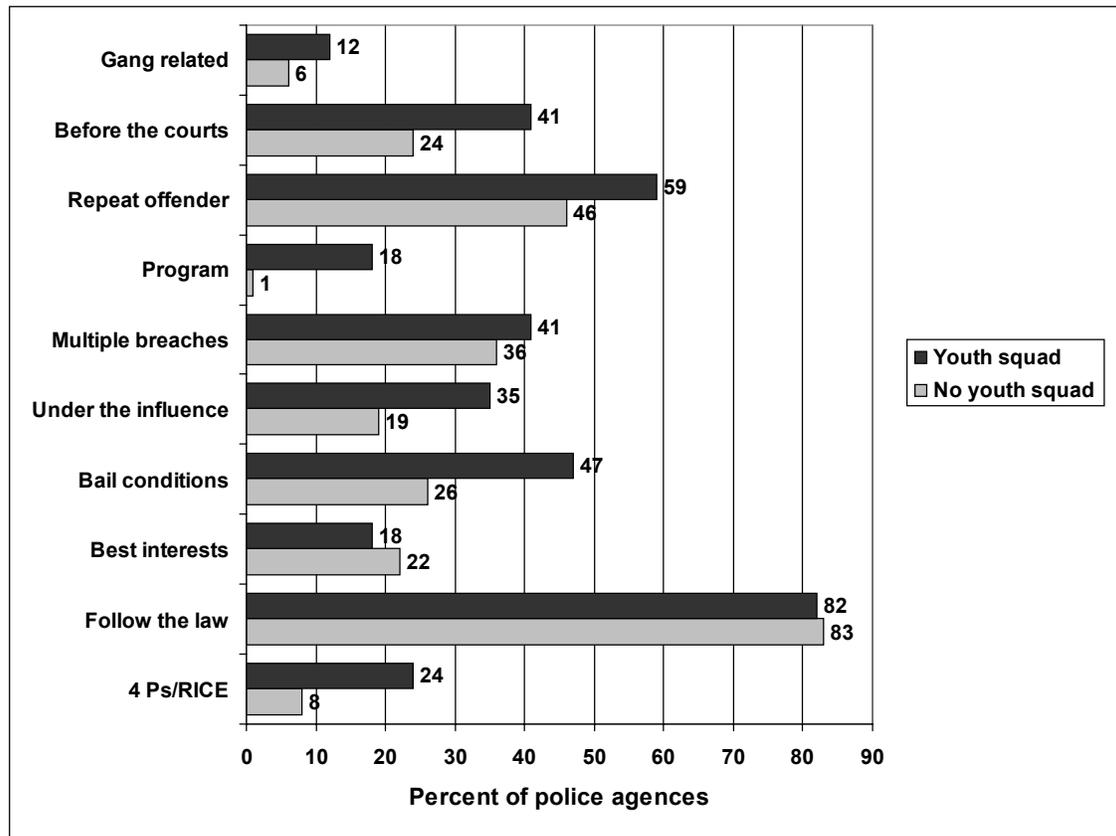
In many cases, the availability of pre-charge programming is an important part of a police officer's "toolkit". The fact that pre-charge programs are more prevalent in jurisdictions where the police service has youth specialization tends to confirm statements by youth officers suggesting that they play a large role in the development and continued utilization of such programs. Several agencies have developed laminated cards for patrol officers (similar to the caution cards used by officers to warn youth of their rights) that outline the types of offences or characteristics of the offender that make pre-charge diversion a viable option. As previously mentioned, many youth officers work only in a follow-up and resource capacity for the police service. Thus, they felt that it was important that patrol officers had a clear understanding of *all* available options to deal with youth-related incidents. Our interview data suggest that patrol officers are much less certain than youth officers of the availability of community-based resources as pre-charge alternatives to the formal court process.

The use of summonses and appearance notices as a means to compel appearance varies by degree of specialization. Agencies with youth officers are more likely to say that they use a summons with minor offences (47%) than police services with no youth division (39%). They are also less likely to say that they "rarely" use an appearance notice (24% versus 33%) and more likely to say that they use them "when no other options apply" (53% versus 40%) and "for very minor offences" (41% versus 31%).

Consistent with their greater use of summonses and appearance notices, police agencies with youth specialization are slightly less likely to use a promise to appear "for a minor offence" (6% vs. 18%). In terms of conditions attached in an OIC undertaking, agencies with youth specialization are slightly more likely to attach a clause of no association (47% vs. 35%), curfew (41% vs. 29%), no alcohol or drugs (24% vs. 19%), and attend school (12% vs. 6%). Police agencies with youth squads are less likely to use the condition of keep the peace and be of good behaviour (12% vs. 28%). Youth officers told us that they felt this condition was not specific enough to have meaningful consequences. Overall, these findings suggest that agencies with youth specialization are more likely to use the less intrusive methods of compelling appearance, except that they tend to use more restrictive conditions with OIC undertakings.

Differences between specialized and non-specialized agencies also appear in relation to the reasons given for detaining for a JIR hearing. Figure IV.8 shows the variations in responses for police agencies by degree of specialization (responses do not total 100% as multiple answers were allowed).

Figure IV.8: Reasons to detain for a JIR hearing, by specialization¹²



Police agencies with a youth section are more likely to say that they detain according to the 4 Ps and R.I.C.E., to obtain judicial bail conditions, if the youth is under the influence of alcohol or drugs, to get the youth admitted to a program, or if the young person is a repeat offender or before the courts. They are slightly more likely to detain for multiple breaches or gang-related offences, and slightly less likely to detain “in the best interests of the youth”, due to the lack of a responsible adult to take care and control of the young person. Apart from the last difference cited, it appears that agencies with youth squads are more likely to use detention, like the conditions of release by the OIC (see above), as a means of addressing what they see as the criminogenic conditions of the youth’s life.

Clearly, with over three-quarters (81%) of our sample opting not to have a youth squad or designated youth officer(s), the non-specialization model is the dominant one in Canada today. However, this figure somewhat overestimates the degree of non-specialization. In the case of smaller provincial police detachments (including the RCMP and OPP), as well as some smaller independent municipal police services, it is quite common for a Community Service Officer (CSO) to work also in a capacity similar to that of a

¹² Percentages for attitude, lack of social services and to remove from prostitution, as reasons for detention, were not included as they were too low for reliable comparisons.

dedicated youth officer. The great majority of RCMP officers who are involved in pre-charge community-based or police-run restorative justice forums are also CSO's. They are actively involved with conferencing and police sponsored youth activities in the community. The difficulty arises as these officers are not able to dedicate all of their on-duty hours to deal with youth-related incidents. The majority of these CSO's take on youth-related issues and incidents as part of their other duties or volunteer their time while off-duty. What this underlines is the importance of at least one dedicated person (regardless of organization size) to be involved with youth-related incidents. This facilitates the innovation and creativity required to establish and maintain viable alternatives to charging reflecting the unique youth crime issues in each community. Further, dedicated officers (and many CSO's) actively promote the effective use of police discretion within the organization as a whole.

There is also considerable variation within the partial and complete specialization models in the degree of involvement that youth officers have with young offenders. Within our sample, several large metropolitan police agencies have undergone restructuring that has affected the scope of duties for the youth section. In all cases, the changes involved either the disbanding of the youth section (e.g. New Westminster Police) or decreasing the amount of overall involvement of the youth squad with all youth-related incidents (e.g. Ottawa Police Service). For example, one agency in Ontario shifted from a complete specialization model to a partial specialization model in the last three years. Since these changes have taken place, everyone involved whom we interviewed agrees that they are less effective within the new arrangements and find more youth are being charged than before. Another large metropolitan agency in British Columbia moved from a non-specialization model to a partial specialization model. These officers suggested that this move has greatly improved the agency's ability to handle youth-related incidents.

In summary, we find that agencies with dedicated youth officers and/or youth squads use more discretion overall. Many innovative and effective programs are developed by dedicated youth officers and their proactive involvement with youth in the community within a primary, secondary or tertiary capacity appears to have positive overall effects in relation to young offenders. Higher levels of parental involvement and referrals to external agencies have the potential to address the underlying causes of a young person's criminal behaviour, without the necessity of bring him or her before the court. We witnessed an increased familiarity on the part of youth officers with their "clientele", even in metropolitan areas. During ride-alongs with youth officers, we observed that they knew the names of over half of the youth whom they encountered on patrol. Youth officers acting as follow-up and as a resource to patrol officers facilitate the gathering of intelligence and an increased knowledge of alternatives to formal youth court. In a sense, the existence of a youth squad – just like the existence of a homicide or armed robbery unit - is an indication that the police service recognizes the unique nature of this particular kind of crime, and places priority on dealing with it in the most appropriate way.

4.2 School liaison officers (SLO) and school resource officers (SRO)

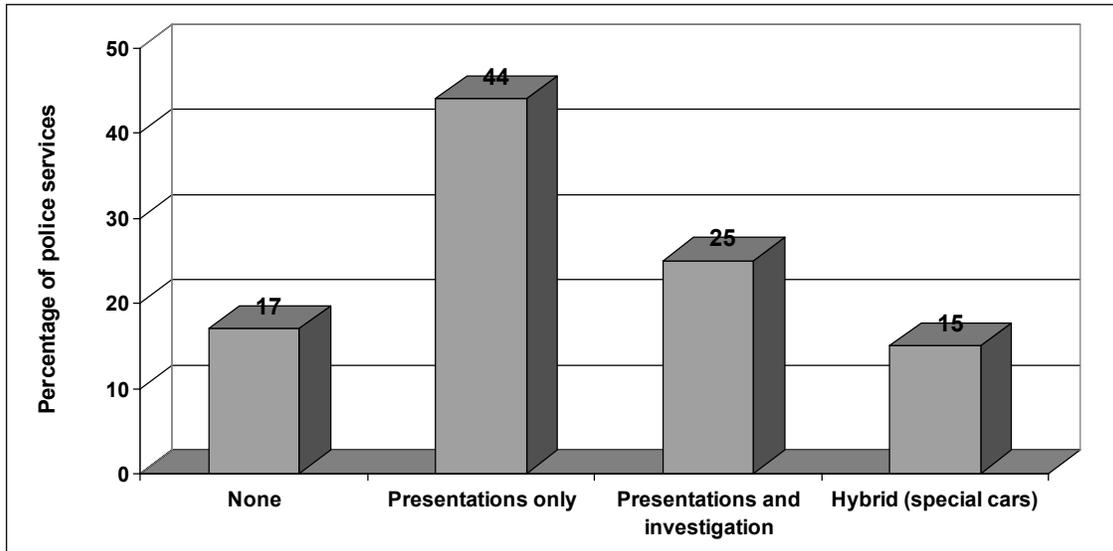
Perceptions within the police culture of certain types of work can affect police discretion and their use of informal means to handle youth crime. The police subculture has been recognized as becoming a barrier to new developments in policing, such as the philosophy behind community policing (McConnville & Shepherd, 1992). Acting as a school liaison officer may not be seen as real police work (Hornick et al., 1996). This perception is part of the crime control model, in which “real” police work is done on the streets. If the pejorative connotation of “kiddie cops” “permeates to the management level, careers suffer as a result” (Hornick et al., 1996: 93).

Our data suggest that SLOs are mixed on whether their police culture respects their positions. Some indicated that their position is a “dead end”. Others suggested that it is seen as any other posting within the organization. In general, we found that SLOs still suffer negatively in police culture more than youth officers.

Figure IV.9 shows the percentage of police services in our sample having each of four types of approach to the use of SLO/SROs.¹³ 17% of the police agencies interviewed did not have a school liaison/school resource officer. However, this figure may be an overestimate, since some of these may have Community Service officers (CSO’s), who also frequently give presentation at schools. Just under one half (44%) of the agencies have one or more SLO officers whose duties are confined to giving *crime prevention* presentations in schools (primary, elementary, and secondary). Most of the SLOs who act as crime prevention officers within schools can be responsible for as many as 25 schools. One-quarter (25%) of the police agencies have *investigative* SLOs who investigate any youth-related incidents that occur on school property, as well as giving crime prevention presentations. A fair number of these officers have permanent offices within their schools and tend to take care of one to two secondary schools as well as any feeder elementary schools. In Edmonton, the SRO program is so well accepted that the school boards pay for half of the officer’s salary. Finally, 15% of the agencies have SLO officers who are classified as *hybrids* or *special cars*. This entails the assignment of various patrol officers to make presentations at the local schools and, if on duty, to respond to school-related incidents.

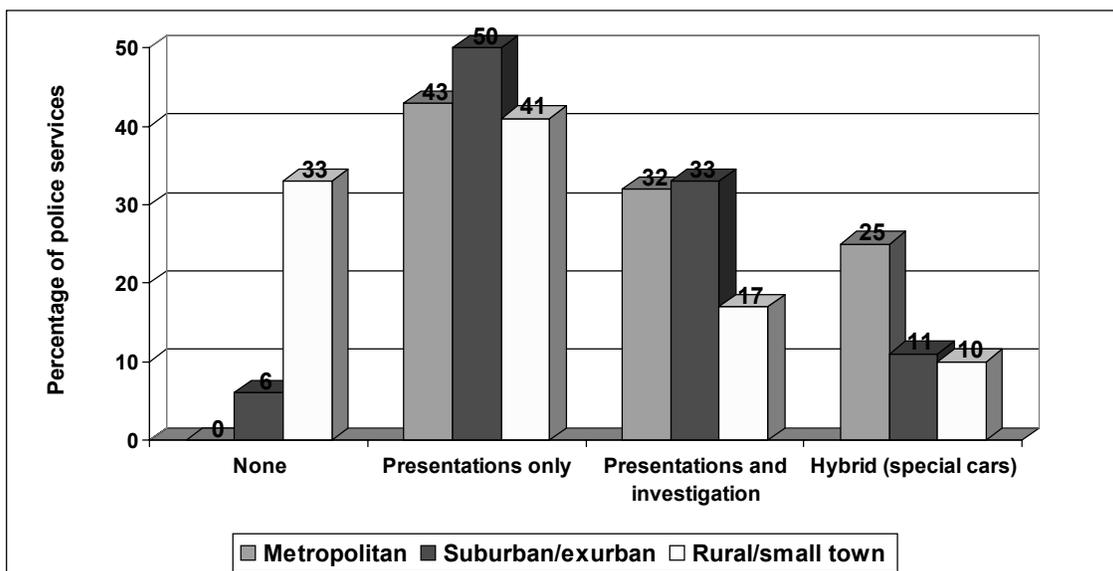
¹³ The terms School Liaison Officer (SLO) and School Resource Officer (SRO) appear to be interchangeable. We did not see any systematic differences between their respective duties, and the choice of title appears to be arbitrary.

Figure IV.9 Functions of SLOs/SROs



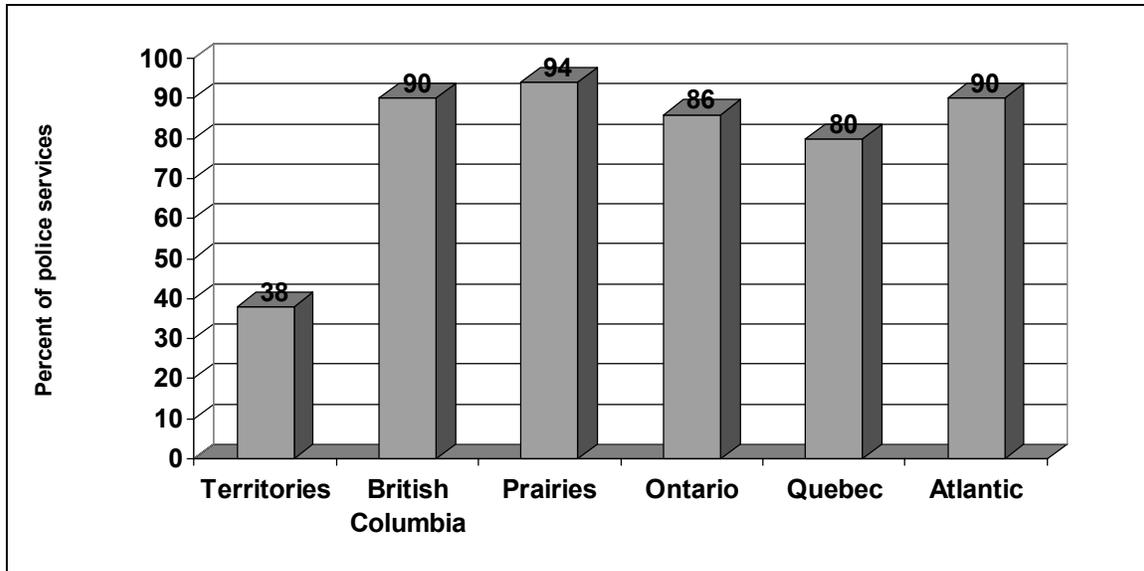
SLOs are more common, and have more responsibilities, in larger centres. Figure IV.10 shows the distribution of types of SLOs by the type of community. One-third of rural and small town police services in the sample have no SLO, and they have fewer SLOs who do investigation and/or work in special cars. There is little difference between metropolitan and suburban/exurban services in their use of investigative SLOs, but special cars are much more common in metropolitan services.

Figure IV.10 Functions of SLOs/SROs, by type of community



SLOs are also more common in independent municipal agencies, of which 90% have SLOs of any type, and 50% have investigative SLOs. Among provincial police detachments in the sample (including RCMP and OPP), 73% have SLOs, and only 25% have investigative SLOs. The regional distribution of police services with SLOs is shown in Figure IV.11.

Figure IV.11 Regional distribution of police agencies with SLOs/SROs



Police services which have a youth squad are also very likely to have school liaison officers. Of the 17 police agencies with youth squads, 16 also have SLOs. On the other hand, an additional 58 agencies in our sample have SLOs, but no youth squad or dedicated youth officer. Thus, it appears that the assignment of officers as SLOs is a distinct phenomenon – one which indicates a commitment of resources to dealing with youth crime, but much less of a commitment than the maintenance of dedicated youth officers.

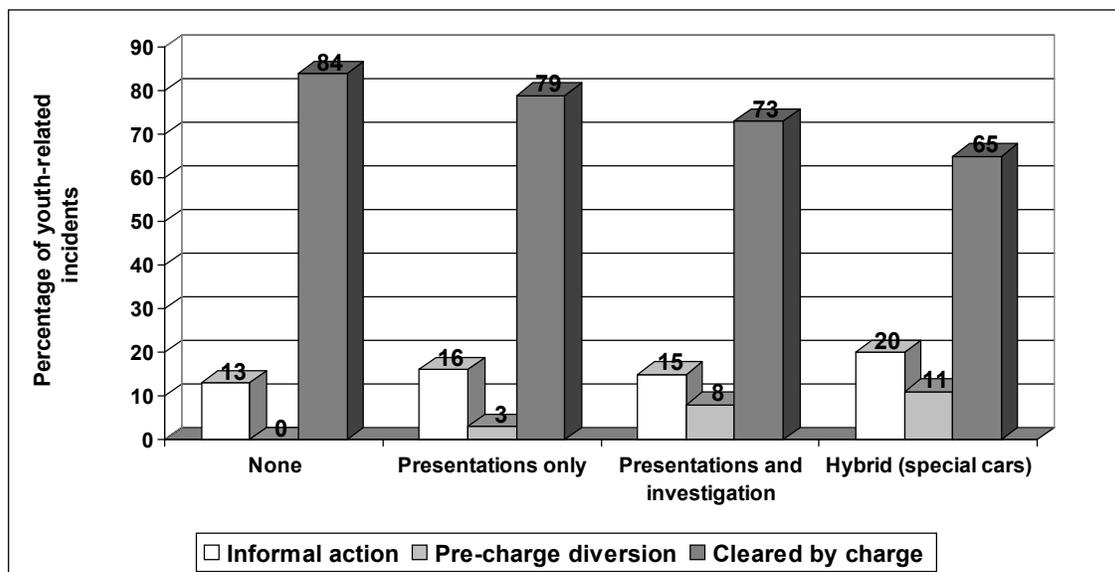
How does the presence of SLOs in a police service affect their decision-making with youth? It appears to have less effect than the presence of a youth squad or youth officers, but differences still emerge regarding certain types of informal action, pre-charge diversion, and compelling appearance.

UCR data on the proportion of apprehended youth who were charged in 1998 to 2000 suggest that the presence of SLOs, especially investigative or hybrid SLOs, slightly reduces the use of charging with young offenders. Although investigative and hybrid SLOs tend to be found in metropolitan agencies, which tend to have higher rates of charging, the average proportion of youth charged by agencies in the sample with investigative or hybrid SLOs was 62%, compared with 66% in agencies with no SLO or

crime prevention SLOs. Looking only at independent municipal forces, the proportions of apprehended youth who were charged by agencies with no SLOs, crime prevention SLOs, investigative SLOs, and hybrid SLOs, are 73%, 64%, 62%, and 62% respectively.

The same conclusion can be drawn from evidence from the 44 agencies in our sample which report to the UCR2 survey. Figure IV.12 shows the distribution of the clearance statuses of youth-related incidents reported by these agencies in 2001. Police agencies which have SLOs, and which give more responsibilities to them, tend to have lower rates of charging and higher rates of informal action and pre-charge diversion.

Figure IV.12 Clearance status of youth-related incidents, by type of SLO, 2001



Source: Incident-Based UCR Survey, 2001.

According to the interview data, there were no differences among police agencies with the four modes of deployment of SLO¹⁴ in the use of informal action in general, informal warnings, formal warnings, parental involvement, or taking the youth home. However, there were some differences in responses concerning questioning the young person at home or at the police station and referrals to external agencies. Police officers are more likely to question the youth at home or at the police station if the organization does not have an SLO (27%) or has SLOs limited to crime prevention presentations (38%) than if there are investigative SLOs or special cars (14%). An interesting relationship is evident between the type of SLOs and the use of referrals to external agencies as a form of informal action. Police services with no SLOs are less likely to make referrals (45%) than services that have SLOs who only make presentations (52%), SLOs who do investigation (68%), or hybrid SLOs (80%). It is striking that agencies with special cars reported the highest percentage of making referrals, and this confirms the conclusion

¹⁴ Including no SLO.

from UCR2 data (Figure IV.12). As in the analysis of the concomitants of youth squads, we did not find any differences related to types of SLOs in the tracking of informal warnings.

However, as with youth squads, we also find that the presence of investigative SLOs has an effect on the use of pre-charge diversion. Overall, organizations without SLOs are less likely to indicate the use of pre-charge diversion (40%) than police services with investigative SLOs (60%). Of the various types of pre-charge diversion, police agencies with SLOs who make presentations only (18%) and investigative SLOs (27%) are more likely to make referrals to pre-charge diversion programs run by John Howard Society and the Boys and Girls Club than agencies without a SLO (0%). Not surprisingly, organizations with investigative SLOs are more likely to indicate they find or would find feedback on alternative measures useful (87%) than those with SLOs that only make presentations (71%) and those without SLOs (55%).

There were no differences in the use of summonses; however, the use of appearance notices appears to be related to the type of SLOs. Police services with investigative SLOs are more likely to say that they use an appearance notice when none of the other options apply (53%) than organizations which have no SLOs, or SLOs who only give presentations (32%). Further, agencies with SLOs of any kind are more likely to use an appearance notice for very minor offences (31%) than police services with no SLOs (13%).

No differences were found in the use of PTAs, OIC undertakings or reasons to detain until a judicial interim release hearing. The only exception is the likelihood of detaining a young offender because s/he is before the courts. Organizations with any type of SLO are more likely to detain a young person for this reason (31%) than police agencies with no designated school liaison officer (7%).

In summary, police agencies which have school liaison officers, especially investigative SLOs or special cars, appear to use less intrusive means of dealing with youth crime: they are more likely to use informal action, less likely to lay charges, bring the youth home or to the police station for questioning, more likely to make referrals to external agencies, more likely to use pre-charge diversion, and more likely to use appearance notices to compel attendance at court.

4.3 Policy and protocol for handling youth-related incidents

There are three types of policy and protocol within police agencies. “Policy” itself is the most general and abstract. For example, a common police policy involves the articulation of the values and mission statement. Procedures and protocols are more specific and describe how the policies will be carried out (e.g. arrest procedures). Finally, rules and regulations are the most concrete and specific and allow for little or no discretion (e.g. wearing a uniform). Rules, regulations, and policy in general are discussed in Chapter V,

below. Here, we are concerned specifically with policy and protocol for handling youth-related incidents. We could find no literature or previous research on this subject.

We asked each police service and detachment¹⁵ to provide us with copies of any policy and procedure that dealt with young offenders. Also, during the interviews, we explored the impact of policy and procedure on decision-making with youth-related incidents.

Just under one-half (48%) of the police services and detachments (or their headquarters) supplied us with policies and/or protocols for handling youth-related incidents. Only 13% of the police officers whom we asked said that they found the policies and protocols “helpful”, and only 2% said that they were “realistic”. With this in mind, we analysed the use of discretion by those agencies that have protocol for handling youth crime. We found differences in the use of informal action, alternative measures and the methods of compelling appearance. One overall finding stands out in relation to all decision-making processes: the mere presence of policy and protocol for youth crime does not appear to have much of an effect on police decision-making; however, substantial differences are evident between police agencies in which officers find these policies and procedures helpful and/or realistic, and those in which they do not.

In terms of the overall use of informal action, there were no differences related to the existence of youth-related policy or protocol, but variations related to whether officers found it helpful and/or realistic. Police officers who find the policies helpful are more likely than others to “usually” or “always” consider informal action with young offenders (68% vs. 45%). 100% of officers who found the policies “realistic” said that they considered informal action “usually” or “always”. Table IV.1 shows the differences between police officers who find their agencies’ youth-related policies and procedures helpful and realistic and those who do not, in the use of different types of informal action.

Table IV.1 Officers’ use of specific types of informal action, by their views on youth-related policy and protocol

	Policies are “helpful”		Policies are “realistic”	
	No ¹	Yes	No ¹	Yes
Informal warning	69%	80%	70%	100%
Formal warning	18%	36%	20%	50%
Parental involvement	65%	80%	66%	100%
Youth home/police station	46%	68%	48%	75%
Questioning home/station	15%	24%	15%	50%

¹ Percentages are based on officers, not police agencies. “No” indicates that the officer explicitly identified this as either not helpful or not realistic, or offered no comment. E.g. 69% of officers who do not find youth-related policies or protocol helpful use informal action “usually” or “always”; vs. 80% of officers who do find policies helpful.

¹⁵ In the case of OPP detachments, we also made the request to the provincial Headquarters; and for the RCMP, to the provincial Divisional Headquarters.

Police officers use every category of informal action more often if they also find the policies and protocols for handling youth helpful and/or realistic; however, the mere presence of policy or protocol does not have an effect on informal action (percentages not shown). Although they are not addressing youth-related policy in particular, Skolnick and Bayley suggest that “administrators should genuinely consider the ideas and suggestions that street cops have about their work” when formulating and implementing policies regarding community policing (cited in Crank, 1997: 57). By extension, it appears that the same philosophy holds for youth-related policies. Administrators should balance the need for rules and regulations with the ability of officers to use their discretion (Cordner & Sheehan, 1999).

The relationship between finding policy or protocol helpful and/or realistic and the use of informal action is also evident with respect to referrals to external agencies, the use of alternative measures, and compelling attendance of the accused.

There was little difference in the use of referrals to external agencies if a police service did or did not have youth protocol. Yet, if policy or protocols existed and the officers find them helpful, they are twice as likely as those who do not to make referrals in connection with minor and serious youth crimes (68% vs. 34%). The same is true of officers who find youth policy realistic.

Police officers are more likely to use pre-charge diversion with youth if the police service has policies and protocols for handling youth (63% vs. 35%). This may be related to an increased need for procedural guidance, in order to ensure that youths who are eligible are diverted. Police officers who found their agencies’ youth-related policies and protocols helpful and/or realistic were also more likely to suggest that feedback on alternative measures is (or would be) useful. There was no difference related to the mere presence of policy and protocol. There were no significant differences between the two groups in their use of post-charge alternative measures, presumably because the police are not usually the referral agents for post-charge AM.

Analysis of UCR data on the percentage of apprehended youth who were charged during 1998-2000 suggests that the existence of policy and protocol for youth-related crime makes a small difference to the overall outcome of charging.¹⁶ Agencies with policy and protocol charged, on average, 64% of apprehended youth, compared to agencies with no youth-related policy or protocol, which charged 66% of apprehended youth. However, these numbers underestimate the difference, since they do not control for related variables. When we control for the overall provincial/territorial level of charging, we find that agencies with policy and protocol for youth have an average level of charging which is 3% below their provincial/territorial average level, and those without this policy

¹⁶ We were unable to analyze UCR data in relation to whether officers found the policy and protocol helpful or realistic, because these are attributes of the individual officer; whereas, the UCR data refer to an entire policy service or detachment.

and protocol have a level of charging which is, on average, 2% above their provincial/territorial levels – resulting in a difference in level of charging of 5%. With respect to the means of compelling appearance, there were no significant differences related to the existence or helpfulness of youth-related policy in officers' use of summonses. However, police agencies with policies or written procedures for handling youth are more likely to use an appearance notice "when none of the other options apply" (50%) than agencies with no such documents (35%). They are also more than twice as likely to use an appearance notice "for very minor offences" (43%) as agencies without written policy or procedures (18%); whereas agencies without written policy and protocols are twice as likely to "rarely" use an appearance notice (43%) as agencies which do have written policies and procedures for handling youth (20%). The same pattern appears in respect to officers who find the policies helpful and realistic. Apparently, written policies and procedures which stipulate the circumstances where appearance notices should or may be used increase the likelihood of their use.

If a young person is arrested, police officers who find their agencies' youth-related policies or procedures helpful and/or realistic are more likely than others to say that they use a promise to appear in order to release a youth without detention (60% vs. 36%), if the youth is at the police station (40% vs. 28%), or in conjunction with an OIC undertaking (64% vs. 40%). They are also less likely to use a PTA for a minor offence. Once again, there was no relationship based on the mere presence of policy and protocol. Police officers in agencies with policy and protocol (and, even more so, with policies that officers found helpful and/or realistic) are more likely to say "we follow the law" as a reason for detaining until a JIR hearing. They are also less likely to detain for social welfare reasons.

In summary, police services which have youth-related policies and protocols make more use of pre-charge diversion, and of appearance notices. Many differences appear between officers who do and do not find these policies and procedures helpful and/or realistic. Officers who find these policies and procedures helpful and/or realistic are more likely to use various forms of informal action, referrals to external agencies, pre-charge diversion, and appearance notices; and to "follow the law" and not to invoke social welfare considerations, in making detention and release decisions.

5.0 Authority and responsibility for the decision to charge

It seems self-evident that variations in the locus of the responsibility and authority to lay charges against a young person will have an effect on the outcome of such decisions. Since Dennis Conly's (1978) report, describing the situation in 1976, was the last national study of this topic, we begin by reviewing his findings.

One of the more striking aspects of juvenile justice in Canada under the Juvenile Delinquents Act is the remarkable variety of arrangements for deciding whether a

juvenile should be charged.¹⁷ These variations arise from two distinctions: (1) whether the police, Crown Prosecutor, or neither, made the final decision; and (2) whether the front-line officer, Youth officer, supervisor, or a committee, made the final decision (to charge, or recommend for charging) within the police force itself. In the provinces of Quebec, Manitoba, and British Columbia, the final decision to charge a youth was “not procedurally a police function” (Conly, 1978: 47). In these provinces, the police investigated the incident, referred the case to the Crown prosecutor with their recommendations, and then laid the charge(s) if the Crown so decided.¹⁸ Apart from this provincial variation, in the ultimate authority to make the decision about laying charges, each police force in the country determined who would have the authority and responsibility *within* the force to decide whether to charge (or make a recommendation to an external authority to charge) or to deal informally with the young offender. Conly included both the internal and the external (to police) allocation of responsibility and authority within one classification scheme.

According to Conly, the allocation of discretion varied from front-line and supervisory responsibility to a mixed model, to external responsibility by non-police personnel. An example of front-line responsibility in its purest form was the Toronto Police Force, where Youth Officers completed the entire investigation from beginning to end. Some other departments employed a partial specialization model, in which Youth Officers might be called in to conduct a follow-up investigation and decision if the front-line officer felt more information was needed than could be collected using regular investigatory techniques. In some jurisdictions, the final police decision lay with the supervisor, “based on the reports of field officers” (Conly, 1978: 47).¹⁹ In a slightly different model, the supervisor based his or her decision on reports from the investigating officer and either confirmed the recommendation or amended it, in consultation with the field officer.²⁰ However, as with the majority of factors that influence police charging, supervisory responsibility can be viewed on a continuum. For example, in London, Ontario, the decisions of regular investigating officers were rarely changed by supervisors.

Alternatively, a mixed responsibility model (e.g. Quebec) involved the distribution of authority being case-specific. In other words, in cases in which police did not wish to lay charges, the decision rested with the front-line officer or supervisor. In those cases that involved a strong probability of a charge, the case was referred outside the police department.

A final model involved final authority and responsibility which were external to the police. In these circumstances, the police responsibilities included the investigation of the case and a recommendation to non-police personnel. For example, in St. John’s, members of the provincial Justice Department made the final dispositional decision, and

¹⁷ This and the following paragraphs rely on Conly (1978).

¹⁸ Regardless of whether the police or the Crown made the decision, it was the police who laid the information (charge(s)) with the court.

¹⁹ Conly found this to be the case in Halifax, Gloucester, Nepean and Calgary.

²⁰ He found this the pattern in Dartmouth, Ottawa, Hamilton, Windsor, Regina, and Edmonton.

in British Columbia the reports were “generally sent first to the Crown for a substantiation of the sufficiency of the evidence and then forwarded to the Probation Office of the Family Court where a final decision in respect to charging the juvenile is made” (Conly, 1978: 47).

In addressing this issue, we felt that clarity could better be achieved if we examined the two dimensions – the internal police decision, and whether or not police have the “last word” – separately. At least in 2002, under the more legalistic regime of the Young Offenders Act, they seem to be two entirely distinct questions. The question of whether the police or the Crown make the decision concerning laying a charge against a young person, and its impact on the exercise of police discretion, are discussed in Chapter III. In this section, we look the various approaches used by the police services in our sample to the internal allocation of the authority and responsibility to lay a charge, or to recommend a charge, if the final decision is made by the Crown.

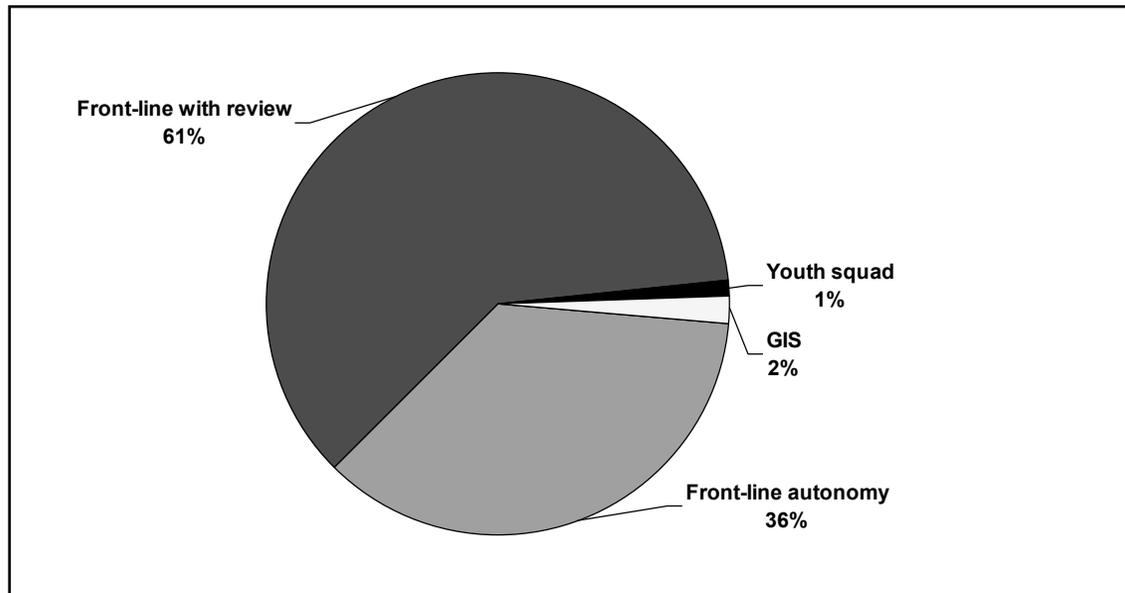
Our findings suggest a re-conceptualization of Conly’s (1978) models of the authority to charge, with four categories: (1) *front-line autonomy*, in which front-line (patrol) officers have the authority to make the decision without review by other officers; (2) *front-line with review*, in which front-line officers make the decision, or a recommendation, which is then reviewed by another officer, such as a patrol supervisor, a member of GIS, or a member of the youth squad, if there is one; (3) *youth squad*, in which the youth section, or a dedicated youth officer, is responsible for handling youth-related cases and making the decision to charge youth suspects, without input from patrol officers; and (4) *GIS*, in which a member of the GIS (General Investigation Section, i.e. a detective) makes the decision without input from patrol officers.

No doubt these bald categories oversimplify a complex reality. In any organization, few decisions are made by one person acting entirely alone and without consultation; nor is “review by a supervisor” necessarily any more than a rubber stamp procedure. Nevertheless, our informants – whether patrol, investigator, or management – seemed unequivocal in their views on whether the front-line officer had the *authority* to lay a charge, or whether the decision lay ultimately with another officer. Figure IV.13 shows the distribution of our sample into these categories.²¹

Because so few police services fit into the last two of the categories described above, the analysis which follows includes the 97% of our sample which fell into the first two categories.

²¹ Percentages are based on the 85 police agencies for which we could obtain this information.

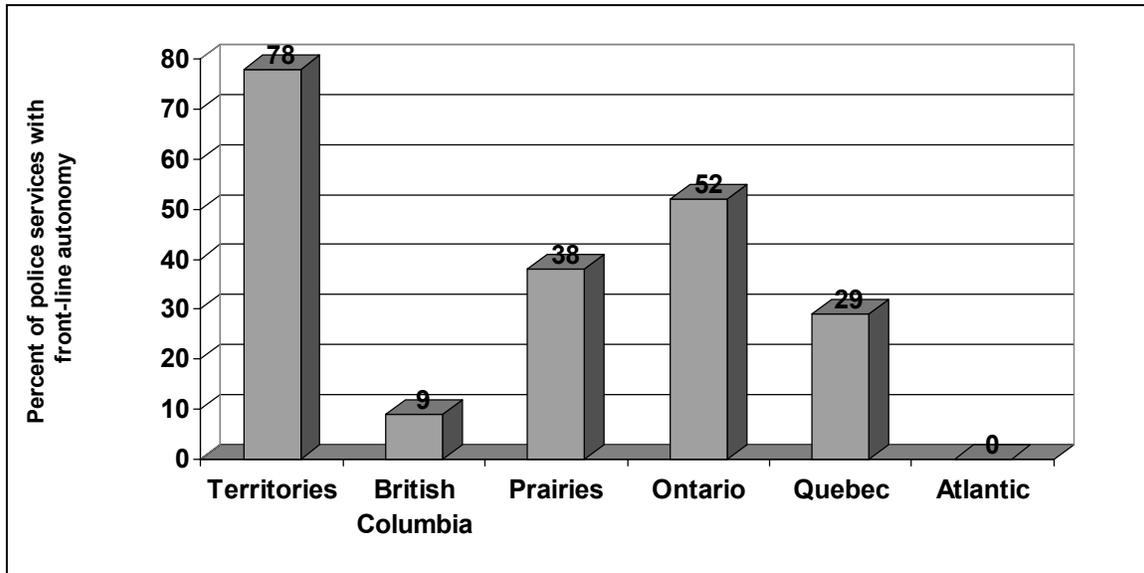
Figure IV.13 Procedural models for the authority to charge young persons



Front-line autonomy is much more common in smaller police services and communities: 54% of the rural and small town agencies in the sample said that the authority to charge rests with the front-line officer, compared with 25% of suburban/exurban forces, and only 19% of metropolitan forces. Front-line officers have the authority to charge in 65% of police services with less than 25 officers, 39% of services with 25 to 99 officers, and 8% of those with 100 or more officers. They have authority to charge in 76% of agencies with 1 to 3 ranks, 18% of agencies with 4 to 6 ranks, and 7% of those with 7 or more ranks. 92% of the OPP detachments in our sample said that front-line officers have the authority to charge, compared with 46% of the RCMP detachments, and 18% of the independent municipal forces. The regional distribution of procedural models is shown in Figure IV.14.

Agencies in which front-line officers have the authority to charge without review are slightly more likely to say that they use informal action in general, and informal warnings, parental involvement, and questioning the youth at home or the station in particular. Front-line police officers are twice as likely to view minor offences as incidents that should “almost always” be dealt with informally if they have sole decision-making power (24% vs. 12%). These findings suggest that front-line officers are more likely to use discretion with youth if their decisions are *not* subject to review.

Figure IV.14 Regional distribution of procedural models for the authority to charge young persons



Agencies in which front-line police officers do *not* have sole discretion with youth-related incidents are *more* likely to make referrals to external agencies (69% vs. 39%), and to use pre-charge diversion (61% vs. 35%), than agencies with no review of front-line decisions. This is consistent with the comments made by patrol officers during interviews. In agencies where there is no youth section or dedicated youth officer, many front-line personnel indicated that: (1) a pre-charge program does not exist, or (2) they do not have the authority to refer to pre-charge diversion, or (3) they are not entirely sure when it is appropriate to refer a youth to pre-charge diversion. Although patrol officers seem confident of their ability to choose between informal action or laying a charge, they tend to know less about available external resources and about alternative measures programs than a supervisor or youth specialist. Similarly, officers in police agencies where front-line decisions to charge are reviewed are more likely to say that they find alternative measures effective (73% vs. 50%). This supports previous findings which suggested that most patrol officers do not receive feedback about the outcome of alternative measures referrals, and are not entirely sure if alternative measures are effective with the youth whom they have encountered.

Statistical data from the UCR2 Survey on the clearance status of youth-related incidents could, in principle, clarify the extent to which agencies with front-line autonomy and with review use informal action and referral to pre-charge diversion. Unfortunately, UCR2 data are available for too few police agencies in our sample to draw any conclusions with confidence. We can analyse data from the UCR Survey to determine the proportion of apprehended youths who are charged by police agencies with these two types of charging procedure, but the UCR data do not distinguish between informal

action and pre-charge diversion – and the interviews lead us to expect that agencies with front-line autonomy will use more informal action but less diversion.

In fact, the UCR data suggest that agencies with front-line autonomy tend to have *higher* charge rates than those with review. Among independent municipal services, those with front-line autonomy charged 74% of apprehended youth during 1998 to 2000; whereas those with review of front-line decisions charged 68% of apprehended youth. Among RCMP detachments, those with front-line autonomy charged 61% of apprehended youth, versus a charge rate of 51% for detachments with review.²²

However, these statistics are misleading, because they do not distinguish between agencies with and without youth squads. Table IV.2 shows the charge rates for police services, broken down by procedural model for charging, and whether or not there is youth specialization. The analysis is done for three groups of police agencies: all agencies for which data were available (78); agencies in metropolitan areas only (27), and independent municipal agencies only (45). There were too few cases in other categories to analyse with confidence.

Table IV.2 Proportion of apprehended young persons charged, 1998-2000, by the procedural model for charging and youth specialization

	All agencies	Metropolitan agencies	Independent municipal agencies
	% charged	% charged	% charged
Autonomy, with youth specialization	60%	59%	60%
Review, generalist model	62%	70%	68%
Review, with youth specialization	69%	70%	69%
Autonomy, generalist model	76%	80%	79%

In each case, the model which is associated with the lowest charge rates is front-line autonomy in a police service which has youth specialists. The model associated with the highest charge rate is front-line autonomy with no youth specialization. The other two models produce intermediate results. The implication is that front-line autonomy results in greater use of discretion not to charge young persons *if* the front-line officer has training to deal with youth, or if the police service is committed to using discretion with youth, as indicated by its establishment of a youth squad. If there is no youth specialization, or commitment to special treatment for youth, then autonomy appears to result in front-line officers using their discretion *to lay charges* against youth. Thus, in a police agency without youth specialization, it is the review by another officer, whether supervisor or GIS, which appears to moderate the tendency of front-line officers to lay charges.

²² The comparison could not be made for OPP detachments, since all but one have front-line autonomy.

There were no systematic differences between agencies with front-line autonomy, and those with review, in the use of the various methods of compelling appearance or in most of the reasons given to detain a young person until a judicial interim release hearing. However, officers in agencies with review of front-line decision-making are more likely to say that they detain in order to get judicial bail conditions (43% vs. 6%), if the young person is before the courts (33% vs. 19%), or if the offence is gang-related (13% vs. 0%). Also, officers in agencies with review of front-line decision-making are more likely to say that they “almost always” charge and detain youth who are repeat offenders (43% vs. 26%) and to get release conditions (26% vs. 13%). Our data suggest that front-line officers *do* refer to departmental policies regarding compelling appearance, since officers in agencies where the front-line officer has sole discretion are twice as likely (56% vs. 26%) to cite “departmental policy” as the criterion for deciding when to charge and detain.

Our findings concerning the impact of front-line autonomy suggest three themes. First, the likelihood of police officers using informal action with young offenders is higher in police services where front-line officers are autonomous, and where there is a commitment to the use of discretion with youth. Second, agencies in which there are no dedicated youth officers, and front-line officers decide alone on the disposition of youth-related cases, tend to use referrals to external agencies and pre-charge diversion less, and lay charges more, than agencies in which a supervisor or youth specialist is involved in the decision. Finally, autonomous patrol officers appear to use less intrusive measures to compel the attendance of a young person in court. In cases where they *do* detain a young person they tend to do so as a result of stipulations within departmental policy.

These findings support arguments raised by writers on the principles of problem solving by police, and community policing. Crank (1997) suggests that administrators should allow the rank and file more discretion by relaxing the traditional requirement of requesting permission and the rigid guidelines for accountability. Patrol officers, who handle the vast majority of youth-related crime, appear to feel more free to resolve incidents informally if they are not concerned about their decisions being overruled, or about suffering adverse consequences because another officer felt that another action would have been more appropriate. However, this autonomy must be accompanied by a commitment on the part of the police service to the use of discretion with young offenders, or patrol officers may make *more* use of charging than if they were subject to review.

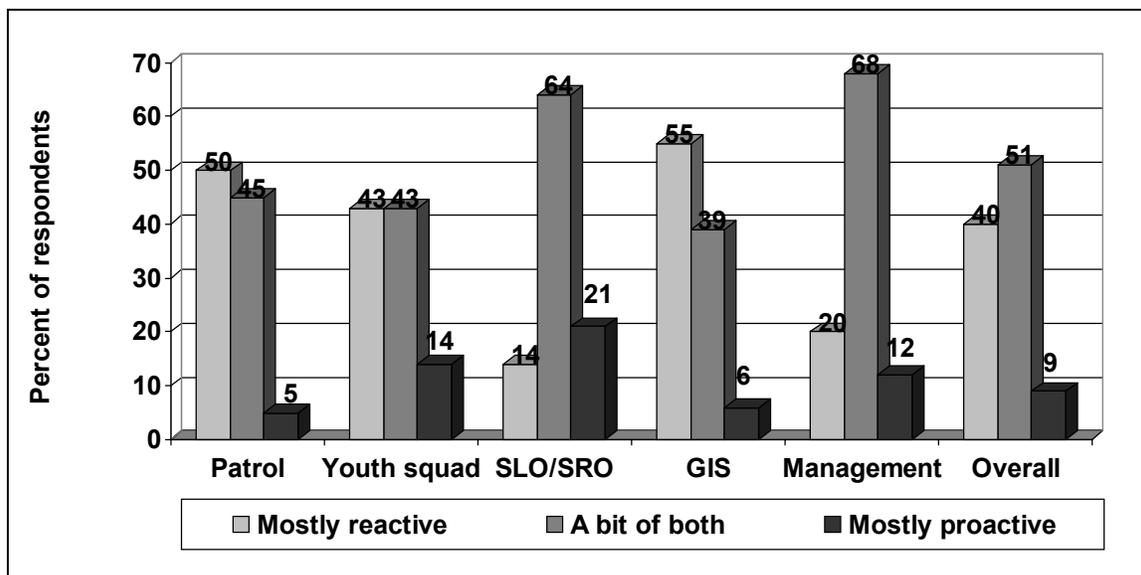
6.0 Policing styles: Reactive versus proactive policing

The three main patrol functions within traditional reactive policing are routine patrol, immediate response to calls, and follow-up investigations (Cordner & Sheehan, 1999: 385-394). Reactive policing can be defined as the police responding to specific requests from individuals or groups in the community which encompasses “immediate response to calls” and “follow-up investigations”. However, the rationale for routine patrol is not as

straightforward. Traditional thinking suggests that the mere presence of a police vehicle will act as a deterrent to crime (Trojanowicz et al., 2002). According to Crank (1998), routine or random preventative patrol is by definition reactive policing. There is no initiative on the part of the officer or the organization to target a specific area or problem within the geographical patrol district. However, it can also be argued that routine patrol is required in order to facilitate response in a timely manner to dispatch calls.

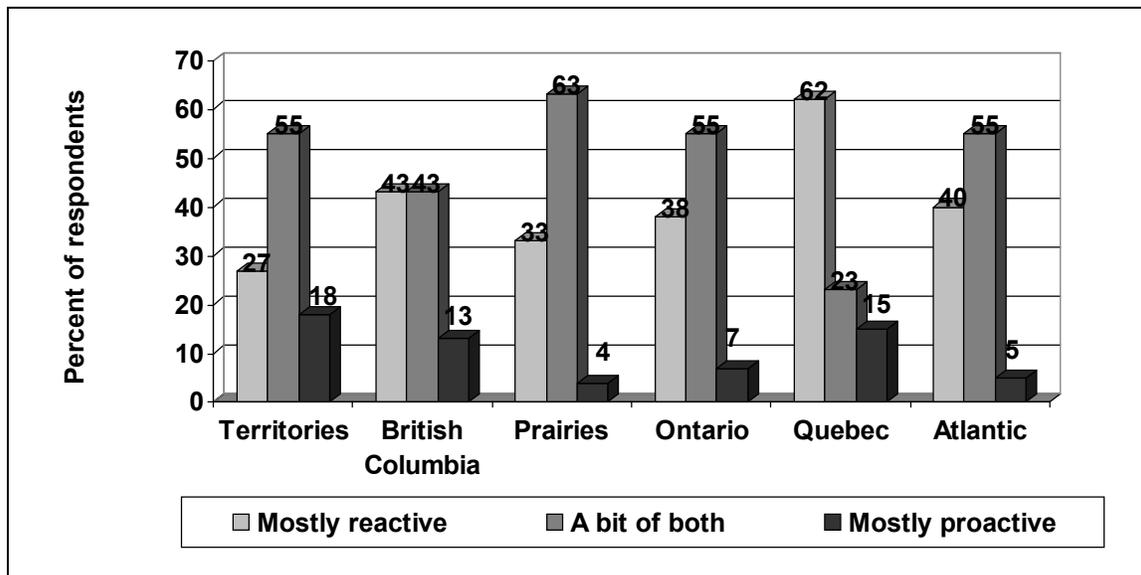
In contrast, proactive policing involves the “police, acting on their own initiative, [to] develop information about crime and strategies for its suppression” (Crank, 1998: 244-245). This can also be interpreted in a myriad of ways. For example, an officer responding reactively to a dispatched call could, nonetheless, resolve the issue proactively by mediating between the parties or using informal action. Similarly, in contrast to routine patrol, directed patrol involves police officers being instructed to monitor specific areas that are identified through problem or crime analysis when they are not responding to dispatch calls (McKenna, 1998). Directed patrol is more proactive than random preventative patrol; however, it still lacks the component of problem oriented policing which engages the community in resolving crime issues. One American study found that proactive policing resulted in more arrests, detention and filing of reports than reactive policing (Seagrave, 1997). Possible reasons suggested were the need for more forceful action to gain “legitimacy and control” as well as officers having made a decision beforehand which prompted a proactive mobilization (Seagrave, 1997: 148). This finding appears to be counterintuitive to what one would expect when officers employ problem-oriented policing. Thus, these findings suggest a need to distinguish clearly between proactive mobilization and problem-oriented policing practices (Section 7.3 below).

Figure IV.15 Style of policing by location of service



We attempted to ascertain where on the continuum of “reactive” and “proactive” police officers perceive their work in relation to youth crime. Officers’ responses fell into three broadly defined categories: *mostly reactive*, *mostly proactive*, and *a bit of both* - which includes officers who felt their work was both reactive and proactive on a fairly regular basis. The distributions of answers given by officers serving in different assignments is shown in Figure IV.15.

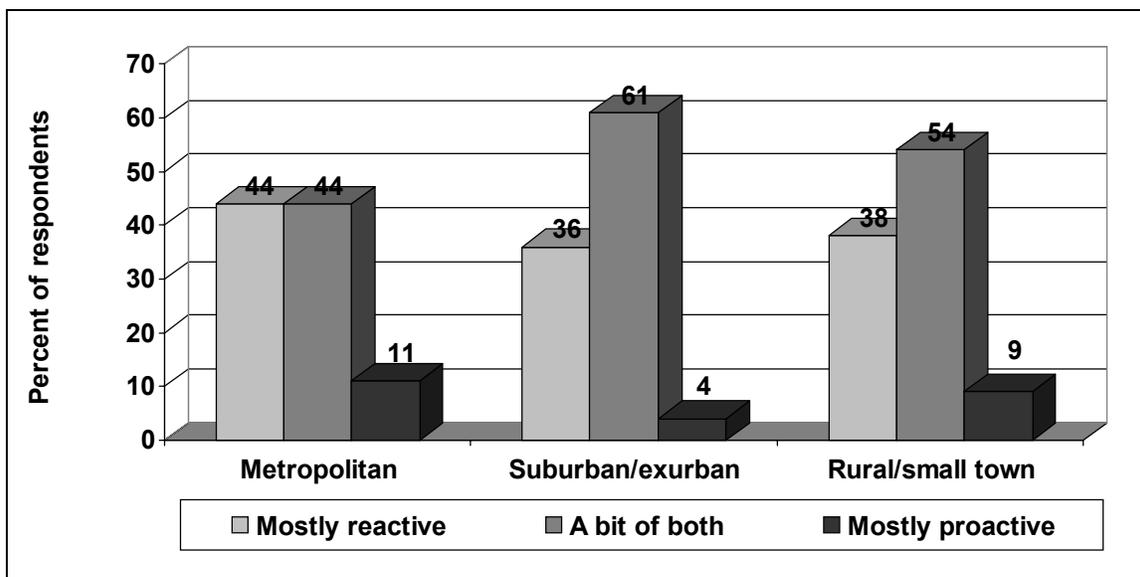
Figure IV.16 Regional distribution of styles of policing



Just over one-half (51%) of the police officers in our sample indicated their job duties are “a bit of both” (reactive and proactive). Many patrol officers in this category mentioned that they may respond reactively to a call from dispatch, but wherever possible, they try to resolve the incident in a proactive manner. They felt that, in spite of the notion that their jobs in patrol are purely reactive, they actually do both types of policing. 39% of GIS officers also fell into this category. They indicated that they usually lay charges; however, they may make referrals to external agencies and they see this as a proactive activity. 40% of the police officers indicated they are mostly reactive in their duties. These were most likely to be in patrol or GIS. It is not the case that these officers do not engage in proactive activities; it merely reflects the fact that they feel the majority of their actions is reactive. Finally, 9% of the officers in our sample suggested they are mostly proactive in the scope of their duties. As expected, these tended to be school liaison, community service, or youth squad officers. As with those officers who characterized their work as mostly reactive, the “mostly proactive” officers also respond reactively to calls for service but the majority of their time is spent in proactive work.

Proactive policing is more common among officers working in the Territories, Quebec, and British Columbia (Figure IV.16).²³ It is also more common in metropolitan and in rural and small town agencies (Figure IV.17). The relatively high proportion of officers in rural and small town police agencies who said that their work is mostly proactive is surprising, in view of the limited resources of these agencies, and may reflect the lesser pressure on these officers to deal with a high volume of calls for service in relation to serious crime, or a more community-oriented style of policing. Proactive policing is also much more common among police officers working in agencies whose jurisdiction includes a First Nations reserve (Figure IV.18).

Figure IV.17 Styles of policing by type of community



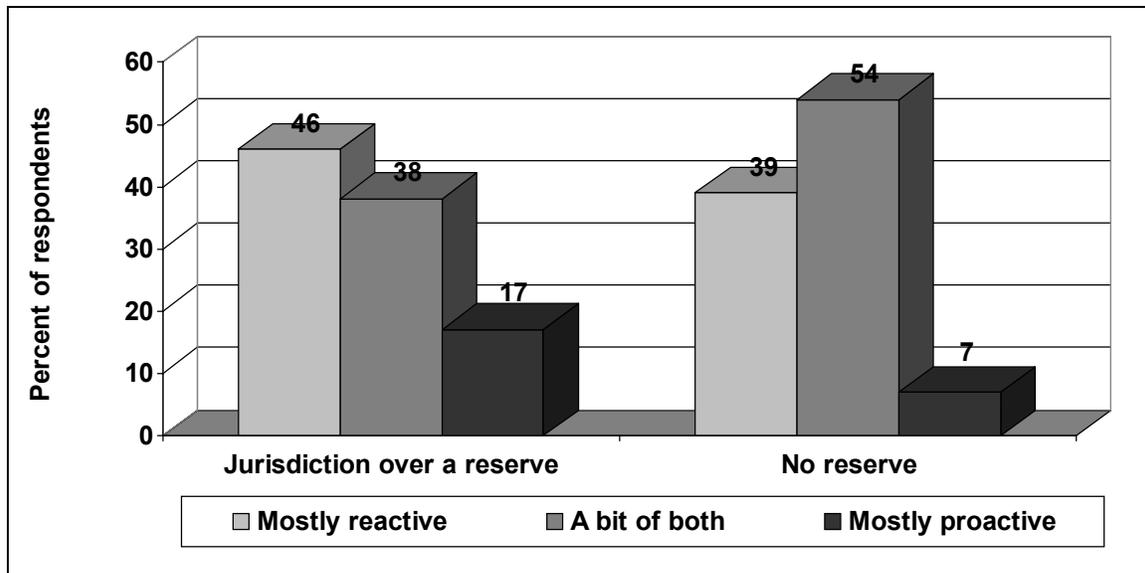
Officers who identify themselves as mostly proactive are three times as likely to almost always consider informal action with minor offences (54% vs. 13%) and almost twice as likely to do so with provincial offences (38% vs. 17%). This may be due to the higher proportion of CSO and SLO officers identifying their work as mostly proactive; whereas patrol work was characterized generally as mostly reactive or a bit of both. However, there were quite a few patrol officers who would “almost always” consider using informal action with minor and provincial offences. In these circumstances, they suggested that it is an integral component of exercising their discretion with youth-related incidents.

With respect to almost all types of informal action, there are no apparent differences among officers whose work falls into the three types of policing style. One exception is in the use of formal warnings. Almost half of the officers who identified their work as

²³ The percentages of police services with ‘mostly proactive’ policing in Figures IV.16 to IV.18 should be interpreted with caution, since they are based on relatively small numbers.

mostly proactive use formal warnings (46%) compared to about one-quarter (27%) of those who said a bit of both or 19% who said mostly reactive. Thus, the data suggest an incremental increase in the use of formal warnings as officers identify their work as progressively more proactive – or as police services encourage proactive policing.

Figure IV.18 Styles of policing by whether a First Nations reserve is in the police agency's jurisdiction



Surprisingly, we did not find any significant differences among officers identifying the three policing styles in the overall use of alternative measures or pre-charge diversion. However, officers who perceive their work as mostly proactive are less likely to use post-charge alternative measures (54%), compared to those whose work is mostly reactive (86%) or a bit of both (80%). This suggests to us that officers may conceptually separate pre-charge and post-charge alternative measures and classify the latter as a reactive response. This may be due to the fact that officers generally do not have much of a say in whether a young person is diverted post-charge to an alternative measures program. An officer lays the charge, and the outcome is not under his/her control; whereas, they are more likely to view as proactive those actions which they can control (e.g. pre-charge diversion).

There are significant difference among officers in the three categories of work style in their identification of any offences for which they would almost always lay a charge. 31% of police officers who identify their work as mostly proactive suggest that there are *no* offences which will almost always result in a charge, compared to 9% of those that are mostly reactive or 4% that are a bit of both. This suggests that officers doing mostly proactive work are less likely to base their decision-making simply on the nature of the offence.

We were unable to use data from the UCR on the proportion of apprehended youth who were charged to assess the impact of policing style on the propensity to charge, because the UCR data are measured at the level of the overall police service, and our indicator of policing style is measured for individual officers. There was no reasonable way to combine individual officers' answers concerning whether their work was mostly proactive or reactive or a bit of both, in order to characterize the overall degree to which an entire police service uses a proactive or reactive style.

There are very few significant differences among officers in the three categories of work style in the methods used to compel attendance in court. Police officers are just as likely to use a summons, an appearance notice or a promise to appear regardless of how they define their duties. However, there are differences in the conditions which they are likely to attach to an OIC undertaking, and the reasons which they give to detain for a JIR hearing. Police officers who suggest their work is mostly proactive are more likely to attach the conditions of no association or no alcohol or drugs. They were also more likely to specify clearly the conditions which they commonly attach to undertakings. Further, officers doing mostly proactive work are twice as likely *not* to detain a young person for multiple breaches (15% vs. 30%) and not as likely to detain if the young person is a repeat offender (15%) compared to officers whose work is a bit of both (36%) or mostly reactive (47%). Similarly, proactive officers are less likely to "almost always" detain a repeat young offender (8%) than those whose work is both reactive and proactive (23%) or mostly reactive (33%). *No* officers whose work is mostly proactive cited "if the youth is before the courts" as a reason to detain, compared to 17% of the officers whose work is a bit of both and 22% whose work is mostly reactive.

Our interview data indicate that officers involved in proactive enforcement practices within programs such as SHOP generally classify their work as mostly proactive. Thus, the findings described above imply that these proactive programs do not necessarily result in more charges; and tend to result in *less* use of detention, but *more* use of conditions on release undertakings.

7.0 Support for community policing

One major shift in the orientation of policing in Canada has been the shift from traditional to community policing. By the 1990's, virtually every police force in Canada had incorporated the term 'community policing' in their written mandates (Horne, 1992). This is not to say that every police department in Canada has necessarily adopted the entire philosophy behind community policing. This philosophy of policing entails an expanded role of the police within the community, and significant internal organizational change. There is considerable variation in practices across Canada (Hornick et al., 1996). The variations are not only a question of whether a few new programs were adopted but also one of confusion concerning the application and implementation of the concept of community policing (Horne, 1992; Leighton, 1991). In short, most departments

understand *what* community policing is but there is little agreement as to *how* it should be executed (Hornick et al., 1996).

A shift from traditional to community policing involves a change in a department's orientation, emphasis, community relations, geographical organization, power base, and recruitment and training (Wood, 1996). Traditional policing adopts the crime control model as its primary orientation. Community policing incorporates a mixture of order maintenance and community service (Wood, 1996). The responsibility for community relations is on every officer, instead of the traditional approach of specialized units. The emphasis shifts from one of bureaucratic process to concrete results, and the power base shifts from complete police control to a shared power with the community. The jurisdictional organization (discussed in Section 2.0 above), moves from centralized to decentralized. Most importantly, recruitment and training must be geared towards human relations and problem solving instead of an exclusive focus on crime control (Wood, 1996). A problem-oriented policing style adopts methods such as SARA (Scanning Analysis Response Assessment) and CAPRA²⁴ (Clients Analysis Partnerships Response Assessment) (Himelfarb, 1997; Hornick et al., 1996). In both cases, officers incorporate the actions of relevant actors (victims, offenders), consider the characteristics of the incident (social context, physical setting, and actions taken before, during, and after the events) as well as the responses and perceptions of citizens and private/public institutions as they apply to the problem (Bala et al., 1994). Thus, community policing has two major components: (i) community partnerships, and (ii) problem solving (Hornick et al., 1996). Canadian police leaders have strongly endorsed community policing as the most progressive approach (Leighton, 1991); however, the available literature does not identify which Canadian police agencies have made a complete transition to community policing.

In order to adopt a community policing approach, a police department must create its own community policing style, which reflects the needs of the citizens in the communities that it serves. Normandeau & Leighton (1990) have identified the following characteristics as essential for the success of any community policing effort:

- The mission of police officers as peace officers
- Community consultation
- A proactive approach to policing
- A problem-oriented strategy
- Crime prevention activities
- Interagency cooperation
- Interactive policing
- A reduction of the fear of victimization
- Development of police officers as generalists
- Decentralized police management
- Development of flatter organizational structures and accountability to the community.

²⁴ CAPRA, as a problem solving method, is part of every RCMP officer's initial training program (Hornick et al., 1996).

In short, adoption of the philosophy of community policing involves a radical change in *all elements* of organizational structure and process. Finding viable alternatives to formal processing involves focusing on the causes of the behaviour and using proactive problem solving which finds meaningful responses that are best tailored and balanced to the youth and his or her situation (Hornick et al, 1996). The employment of a multi-agency approach stresses the use of community-level resources, a sharing of knowledge and a pooling of resources and expertise in a cost-effective manner (ibid.). These elements are all facilitated by a complete adoption of community policing philosophy. Thus, the degree to which a police agency adopts community policing is likely to have a profound influence on its use of informal means to handle youth crime.

Since community policing focuses on the needs of a specific community, there is no blanket schematic approach. An approach that works in one jurisdiction may not be applicable in another. Police officers have indicated that they lack general knowledge of what works in given situations. In some jurisdictions, the police are very innovative in their approaches to handling youth crime; whereas, in others they appear overwhelmed with their workload, stating that the YOA inhibits their abilities to develop proactive crime prevention strategies.

A recent study found that police strongly favour community policing objectives and 97% felt that community-based alternatives to formal processing were a viable method to impart meaningful consequences (Caputo & Kelly, 1997). However, drawbacks included a lack of direction and meaning regarding the concept of community policing, variation in the informal nature between jurisdictions, availability, reluctance by administrators to reallocate resources away from traditional reactive policing functions,²⁵ and a lack of recognition by peers and superiors²⁶ for crime prevention initiatives such as school-based programming (ibid.). In short, police officers are asking for guidance on how and when to use police discretion within a community policing policy.

7.1 The philosophical dimension: mission statements and documented mandates and objectives

There are four dimensions of community policing: philosophical, strategic, tactical, and organizational (Cordner & Scarborough, 1997). The philosophical aspect involves incorporating community policing ideals (as discussed above) within the organization. The philosophical dimension is commonly found within a mission statement and/or a department's mandates and objectives. Just under one-half (46%) of the police agencies in our sample provided us with a copy of their mission statement, and one-third provided copies of their mandates and objectives. Agencies in metropolitan areas are much more likely to have a mission statement (70%) than those in suburban/exurban (42%) or rural/small town jurisdictions (34%). Documentation of mandates and objectives is less

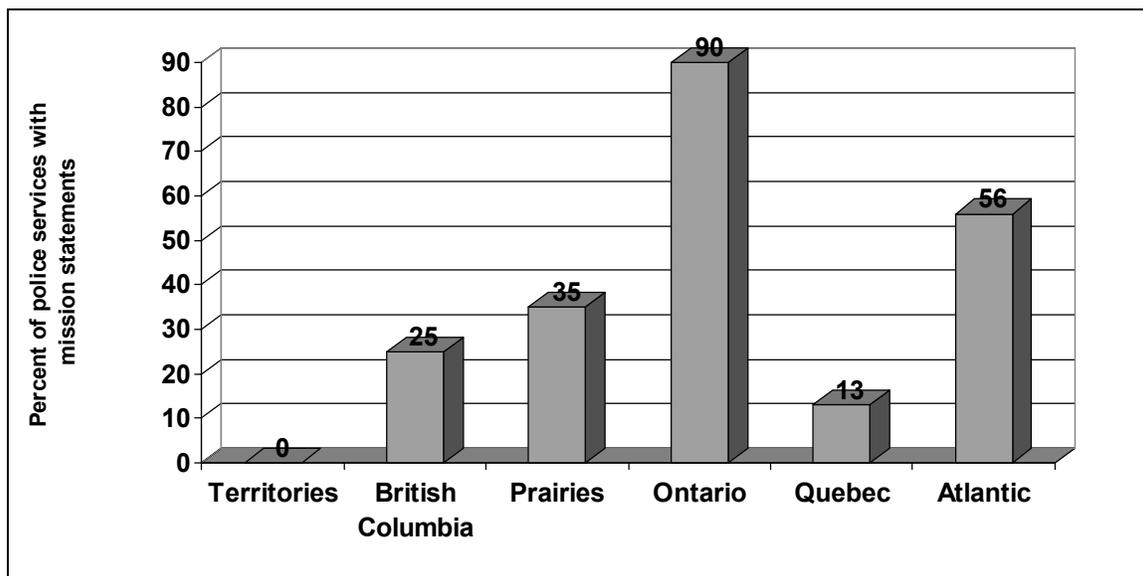
²⁵ This may be facilitated in agencies which have redefined police roles and job descriptions.

²⁶ Common indicators of productivity for police officers are arrest and clearance rates (Ericson, 1982).

common: 47% of metropolitan police agencies were able to provide this type of documentation, as were 26% of suburban/exurban agencies and 26% of rural and small town agencies.

There are striking regional differences in the availability of documentation (Figure IV.19). Almost all of the police agencies in Ontario and over one-half in the Atlantic currently have mission statements, compared to much lower proportions elsewhere. The great majority of agencies in Ontario (70%) also have clearly stipulated mandates and objectives, compared to lower proportions in the other regions (0% - 27%)²⁷. Virtually all of these documents contain the terminology “community policing”. However, it is only in the other dimensions that the degree to which an agency has adopted community policing can be identified.

Figure IV.19 Regional distribution of adoption of the philosophical dimension of community policing

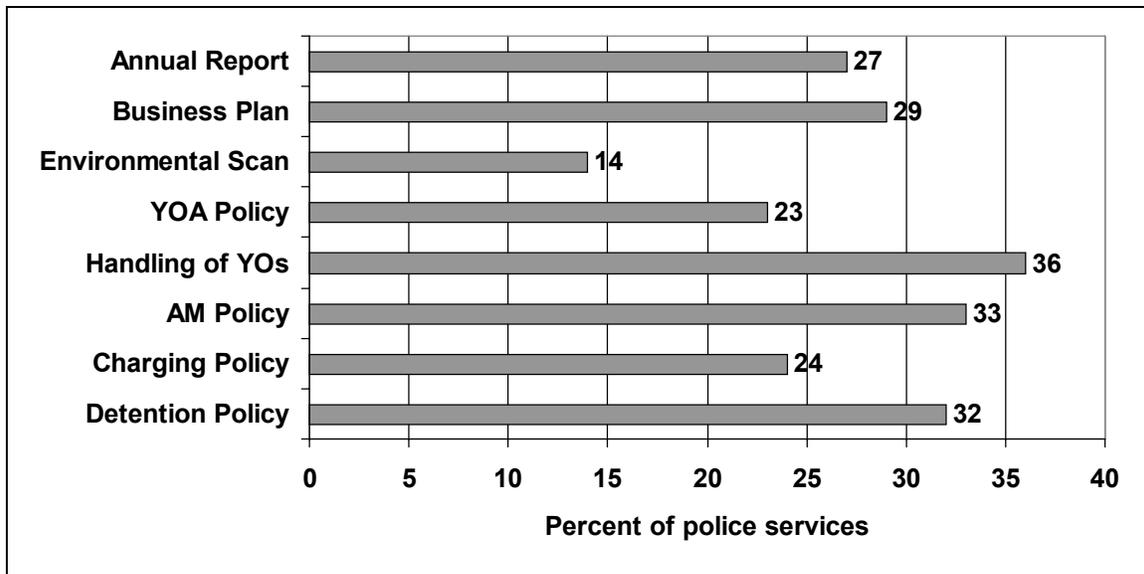


7.2 The strategic dimension: policies, protocols, and allocation of resources

The strategic dimension denotes incorporation of the ideals of community policing into policies and protocols, as well as - crucially - the allocation of adequate resources. There are several aspects that can be examined to assess the degree to which a police agency has adopted the strategic component of community policing. Figure IV.20 shows the percentage of police agencies that provided us with documentation concerning these various aspects.

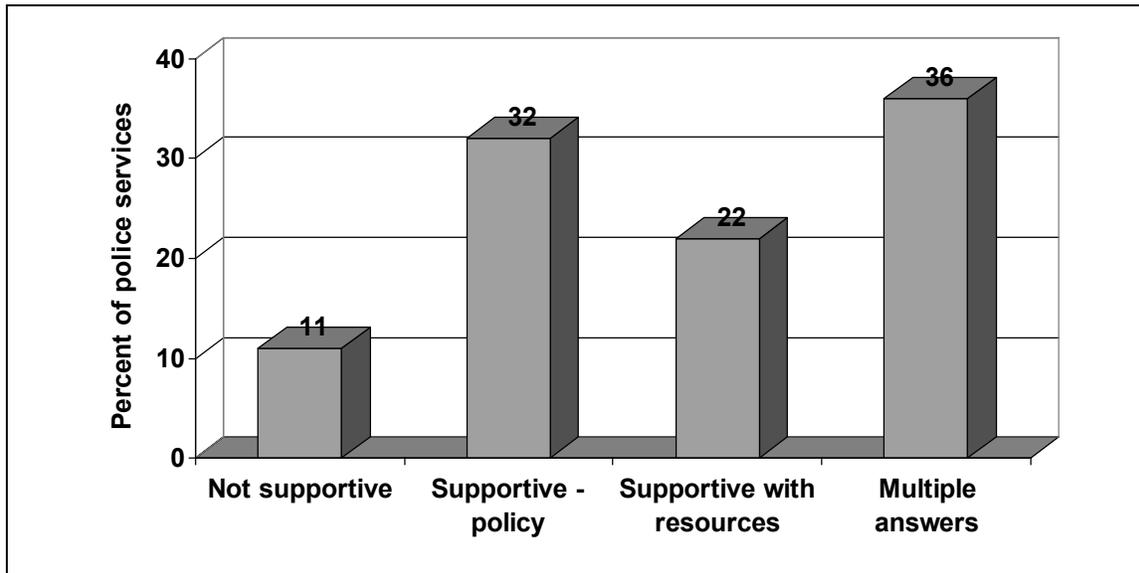
²⁷ These stark differences are probably the result of Ontario’s Policing Standards Act.

Figure IV.20: Police services which provided documentation on the strategic dimension of community policing



These percentages provide insight into the extent to which policies and protocols have been adopted. Yet, even within those agencies that have established relevant policies, protocols, and reports to the public (e.g. an Annual Report) the question remains whether they have supported the rhetoric with adequate resources. We asked our interviewees whether they felt that their police agency was supportive of community policing. Answers were coded into three categories. *Not supportive* indicates that the police agency does not have any community policing policy, does not provide resources for officers to implement community policing initiatives, and management does not reward any of these types of initiatives. *Supportive - policy* means that the agency has drafted policies, protocols, and reports to the public that indicate a commitment to community policing (for details, see Figure IV.20 above). Finally, the category *supportive with resources* indicates the allocation of significant resources to community policing. Agencies in this category have not only written down their initiatives but have also provided adequate resources and support for the implementation and continuation of community policing within all ranks. In a substantial number of police services, officers whom we interviewed disagreed with one another as to the level of support for community policing. These police services were coded *multiple answers*. Figure IV.21 shows the distribution of police services.

Figure IV.21: Level of commitment by police agencies to community policing

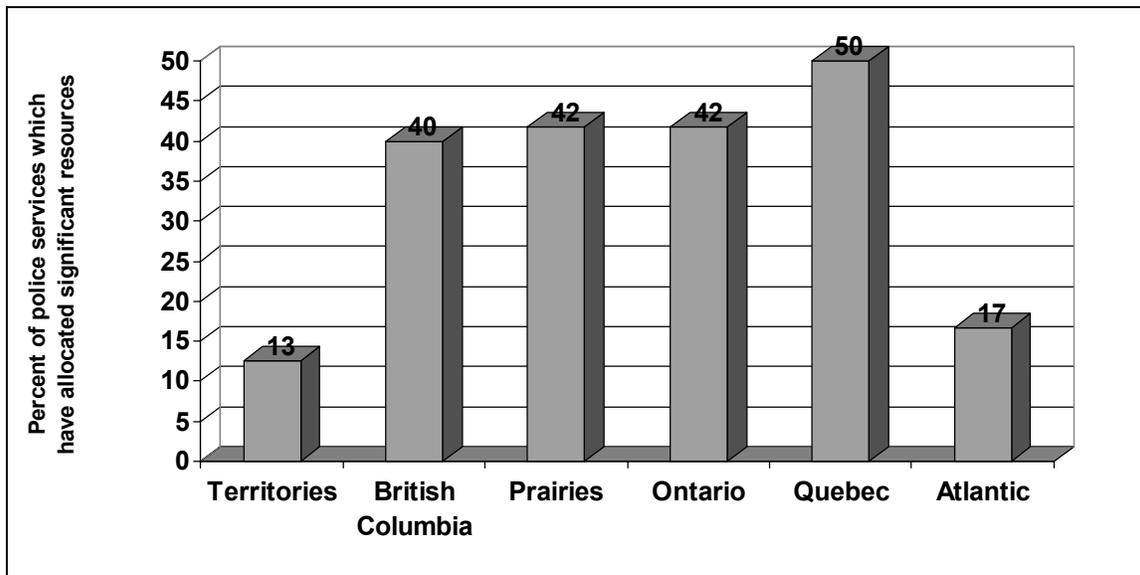


The data suggest that less than one-quarter of the police agencies in our sample have implemented the strategic component of community policing. The fact that more than one-third of the agencies fell under the category of *multiple answers* suggests two things to us. First, the philosophical dimension has not been clearly articulated within all ranks to ensure that officers have a clear idea of the mandates and goals with respect to the implementation of community policing. Second, the assignment of dedicated community service officers (CSO's) in some police services increases the likelihood of conflicting views among members of the police agency, since other officers (e.g. patrol) do not see themselves as engaged in community policing per se.

The regional distribution of police agencies' support for community policing is shown in Figure IV.22.²⁸ The strongest form of commitment to community policing – allocation of significant resources to it – is spread fairly evenly across the regions of Canada, except for the low levels in the Atlantic region and the Territories. Allocation of resources to community policing is more common among metropolitan (42%) and suburban/exurban agencies (40%), but lower, as expected, in rural and small town police agencies (26%).

²⁸ The substantial number of police services in which officers disagreed about the level of support – coded “multiple answers” in Figure IV.21 – are omitted from the percentages in Figure IV.22.

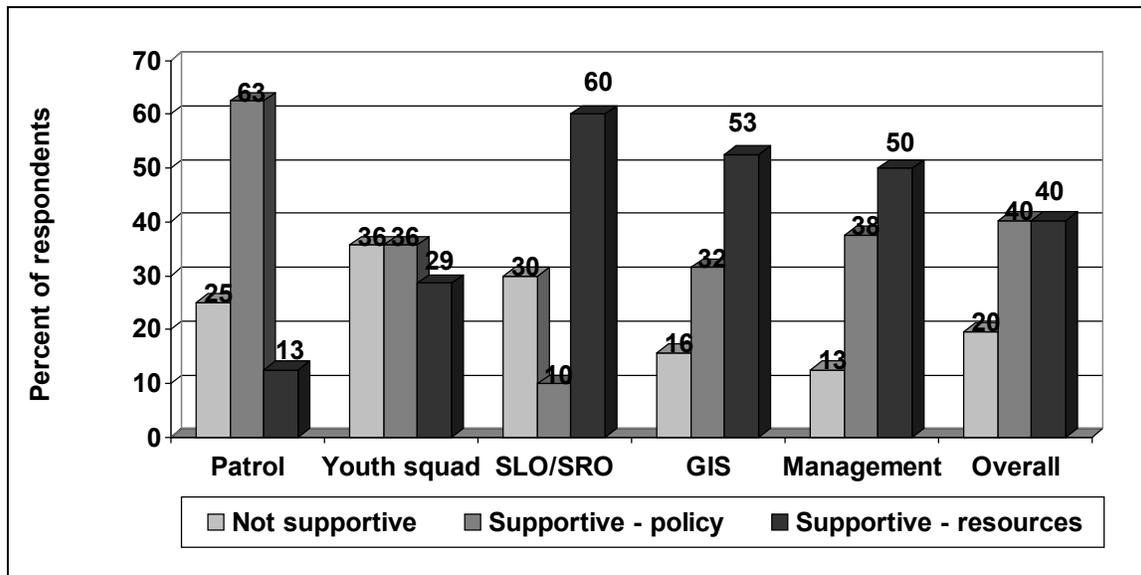
Figure IV.22 Regional distribution of the level of commitment by police agencies to community policing



Looking at the views of individual officers, rather than treating the police service as a unit, we find that 40% of the respondents said their organization had allocated significant resources to community policing, another 40% said it was supportive in policy only, and 20% said it was not supportive. Many of the officers who said that their organization was supportive in policy only made it very clear that they considered this form of commitment to be “lip service” only, which was not backed up with tangible action. Thus, only 40% of the officers whom we interviewed felt that their organization had made a serious commitment to community policing, in the form of the allocation of resources. This rather undermines the claim at the beginning of this section that Canada has witnessed a major shift from traditional to community policing.

Views of officers concerning their organization’s commitment to community policing differ by the functional assignment of the respondent. Figure IV.23 shows that School Liaison Officers and youth squad officers are the most likely to say that their organization is *not* supportive of community policing, but SLO’s are also the most likely to say that their agency is supportive with resources. Evidently, they have more clearly defined views than other officers, presumably because it is the SLO’s who are most directly involved in community policing. Youth squad officers are also less likely than others to view their organization as supportive with resources; however, it is the patrol officers who take the most jaundiced view of their organization’s commitment to community policing: only 13% said there was support including resources.

Figure IV.23 Views on agency's support for community policing, by location of service



Our findings do suggest the implementation of the strategic component of community policing affects police decision-making with young offenders. If an agency has relevant policy and resources dedicated to community policing its members are more likely “usually” or “always” to use informal action. No differences are apparent in the use of informal warnings; however, agencies which are supportive with resources are more likely to use formal warnings (44%) than those that are supportive only with policy (30%) or agencies that are not supportive of community policing (0%). Police agencies which have allocated resources to community policing are also less likely to question a youth at home or the police station as a form of informal action (23% vs. 50% of other agencies). Further, officers in these agencies are almost twice as likely to make referrals to external agencies if the police force is supportive with the allocation of resources (80% versus 44% of other agencies).

The level of commitment to community policing is positively related to the use of alternative measures as a method to deal with youth-related incidents. One-quarter (25%) of agencies that are not supportive of community policing use pre-charge diversion, compared to almost one-half (43%) that have incorporated community policing policy, and three-quarters (75%) of those agencies with dedicated resources. There is a similar relationship with the likelihood that a police agency uses community based pre-charge restorative justice programs. None of the agencies that were not supportive of community policing used community based restorative justice diversion programs, compared to 22% of those with supportive policy and over one-half (56%) with dedicated resources. No differences were evident in the use of post-charge alternative measures.

Table IV.3 shows the proportions of apprehended youth who were charged during 1998-2000, according to the UCR Survey, broken down by the degree of support of the police service for community policing. The table is further broken down by region, in order to control for overall regional variations in charging practices. In five of the six regions (the Prairie provinces being the exception), the propensity to charge decreases as the level of support for community policing increases.

Table IV.3 Proportion of apprehended young persons charged, 1998-2000, by the level of support for community policing and region

	Not supportive	Supportive - policy	Supportive with resources
	% charged	% charged	% charged
Territories	n/a	61%	43%
British Columbia	56%	49%	35%
Prairies	n/a	71%	75%
Ontario	73%	75%	66%
Quebec	n/a	47%	45%
Atlantic	78%	60%	60%

There is no relationship between the level of commitment to community policing and the use of appearance notices or summonses. However, there is a relationship with the reasons which respondents gave us for the use of the promise to appear. Agencies with dedicated community policing resources are more likely to use a promise to appear “to release a young person without detention” (75%) than those agencies that have only policy or are not supportive (53%). They are also more likely to use a PTA “as a higher consequence than releasing with an appearance notice” (18% vs. 0%), or “in conjunction with an OIC undertaking” (64% vs. 25%). There is no relationship between the degree to which an agency has implemented the strategic dimension of community policing, and the types of conditions which its members commonly attach to an OIC undertaking.

With one exception, we found no differences in reasons given to detain a youth for a judicial interim release hearing. Agencies with dedicated community policing resources are only half as likely to indicate that they detain young offenders “for multiple breaches” (19% vs. 41%).

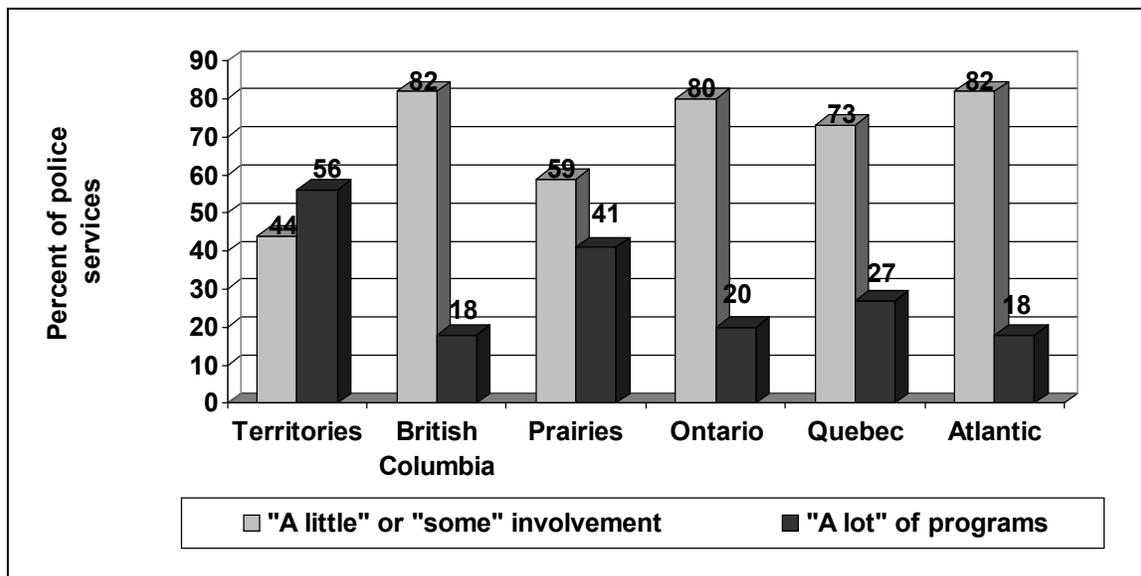
7.3 The tactical dimension: crime prevention programs and problem-oriented policing (POP)

The tactical dimension in the implementation of community policing is the establishment “on the ground” of crime prevention programs and problem-oriented policing. We asked

respondents about the degree of involvement of their agency in crime prevention, and coded the answers into three categories. *Every* police service and detachment in our sample has one or more crime prevention programs that are delivered on a relatively consistent basis. Officers in 28% of the agencies said that their agency delivers *a lot* of crime prevention programs; 34% of agencies deliver *some* programs, and 38% of agencies have *a little* involvement in delivering crime prevention programs.

Figure IV.24 shows the regional distribution of involvement. This mirrors the regional distribution of levels of youth crime (Figure III.9), with high levels in the Prairies and Territories and lower levels elsewhere.

Figure IV.24 Regional distribution of the level of involvement of police services in crime prevention programs



Metropolitan (33%) and suburban/exurban (29%) police agencies are more likely than agencies in rural areas and small towns (20%) to be involved in “a lot” of crime prevention programs; and agencies in rural areas and small towns are more likely (48%) to have only “a little” involvement in crime prevention than metropolitan (30%) and suburban/exurban agencies (29%). These patterns suggest a relationship between the perceived level of youth crime in the community and the level of involvement of the police service in crime prevention programs. At the high end of the spectrum, however, the relationship is actually very weak: 32% of police services in communities with “a lot” of youth crime are involved in “a lot” of crime prevention programs, versus 26% of services in communities with “a normal amount” of youth crime and 25% of services in communities with “not very much” youth crime. A much stronger relationship is evident at the other end of the continuum of involvement: 67% of police agencies in communities with “not very much” youth crime have only “a little” involvement in crime prevention

programs, versus 38% of agencies in communities with “a normal amount” of youth crime, and 18% of agencies in communities with “a lot” of youth crime.

Only 11% of the agencies in the sample provided us with documentation concerning their crime prevention programs – apparently because only the larger agencies have the financial and personnel resources to produce this kind of documentation. A small percentage of agencies provided documentation concerning their specialized programs such as SHOCAP/SHOP (9%), G.R.I.T. (Gang Resistance Intervention Team) (2%), and TAPP-C (5%). 16% of our sample provided documentation outlining community mobilization projects and ongoing problem-oriented initiatives involving community partners. It was evident from the interviews that these figures are not indicative of the extent that the police agencies in our sample are engaged in innovative youth programs, and do not capture the depth of involvement in their communities of many of the agencies in our sample.

There is considerable variation in the type of crime prevention programs in which police services participate. The type of programs delivered may change periodically over the years to better reflect the perceived needs of the community. For example, our interviewees suggested that the prevalence of programs geared towards the prevention of bullying has increased over the past three to four years. Similarly, in many organizations officers are becoming much more involved in volunteer activities that bring them in contact with youth (e.g. baseball games, community events). Figure IV.25 shows the main categories of crime prevention programs which are currently being delivered by agencies in our sample, either in schools or at other venues.

Figure IV.25: Types of crime prevention programs

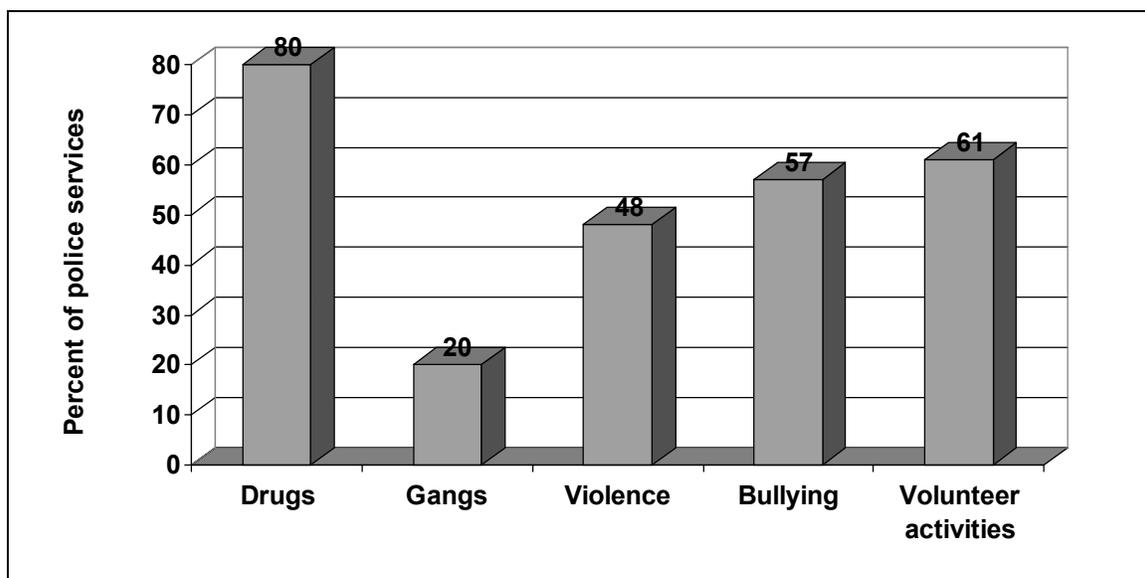
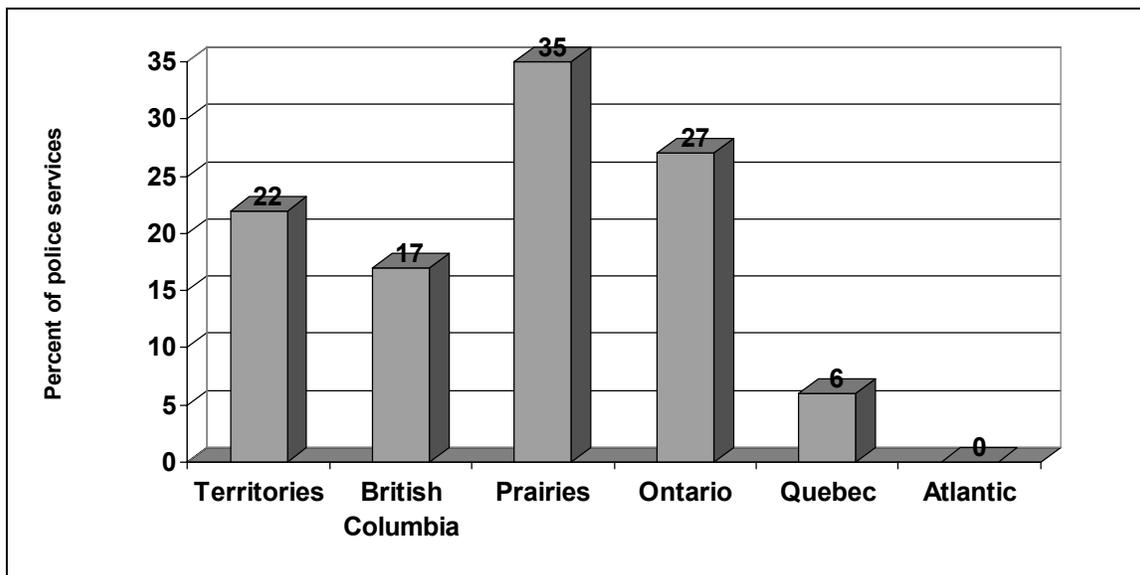


Figure IV.26 shows the regional distribution of police services involved in crime prevention programs related to youth gangs. Involvement is higher in the Prairies and Ontario, and very low in Quebec and the Atlantic provinces. Except for Quebec, this distribution mirrors the regional distribution of identified youth gang problems: higher levels in the Prairies, Ontario, and Quebec (Figure III.14). Indeed, police agencies in communities with identified youth gang problems are much more likely (52%) to be involved in gang-related programs than other police agencies (10%). Involvement in youth gang-related crime prevention programming is also strongly related to the perceived level of youth crime in the community: 50% of police services in communities with “a lot” of youth crime are involved in anti-gang programs, compared with 14% in communities with “a normal amount” of youth crime, and only 8% in communities with “not very much” youth crime. These relationships probably explain why police services in metropolitan areas are much more likely (40%) to be involved in gang-related programs than agencies in suburban/exurban communities (21%) or police services in rural areas and small towns (7%). Police services in communities with a significant population of aboriginals living off-reserve are also much more likely (31%) to be involved in gang-related programs than other police services (14%). However, there is no relationship between policing a First Nations reserve and being involved in gang-related programs: 19% of police agencies which include a reserve in their jurisdiction are involved in such programs, compared with 20% of other police agencies.

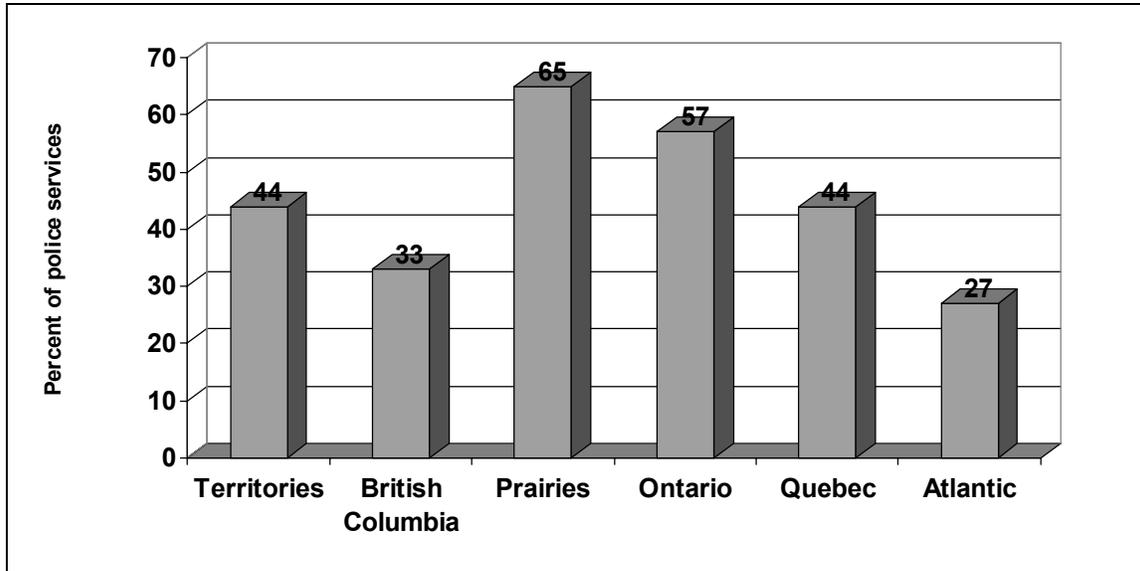
Figure IV.26 Regional distribution of involvement by police agencies in youth gang related crime prevention programs



A somewhat similar pattern can be seen for police involvement in anti-violence programs. The regional distribution of police services involved in such programs is shown in Figure IV.27. It mirrors, approximately, the regional distribution of police

services reporting a significant problem of youth violence in their communities, with higher levels in the Prairies and Ontario, and low levels in the Atlantic provinces (Figure III.13). However, police services in the Territories reported relatively low levels of serious youth violent crime (Figure III.13), but are heavily involved in violence-related crime prevention programs. Police involvement in programs related to youth violence is much more prevalent in communities where police have identified a problem of serious violent youth crime: 79% of police services in such communities are involved in anti-violence programs, compared with 38% of police services in other communities. Similarly, 73% of police services in communities with “a lot” of youth crime are involved in anti-violence programs, compared with 52% in communities with “a normal amount” of youth crime, and 23% in communities with “not very much” youth crime. These relationships probably explain why metropolitan police services are much more likely (70%) to be involved in anti-violence programs than suburban/exurban (42%) or rural and small town police services (36%). There is no relationship between policing aboriginal populations, either on- or off-reserve, and involvement in anti-violence programs, which is a little surprising in view of the problem of violent crime which has been identified in aboriginal communities (Griffiths & Verdun-Jones, 1994: 638-639; cf. Chapter III, Section 4.2.4 above).

Figure IV.27 Regional distribution of involvement by police agencies in youth violence related crime prevention programs



Does the level of involvement in crime prevention programs have an effect on police decision-making with young offenders? The data suggest that this involvement is related to the use of informal action, but that there are no systematic relationships between the level of involvement in crime prevention and the use of pre- and post-charge alternative measures or the methods used to compel attendance at court.

As the level of involvement by a police agency in crime prevention programs increases, the likelihood that officers “usually” or “always” consider using informal action also rises. 93% of the agencies with “a lot” of crime prevention programs “usually” or “always” consider informal action with youth-related incidents compared to 80% of those with “some” involvement and 66% of those with “a little” involvement. The same pattern occurs for the use of informal warnings: 100% of the agencies with “a lot” of involvement in crime prevention programs use informal warnings compared to 94% of those with “some” involvement and 89% of those agencies with “a little” involvement. Officers are almost twice as likely (50%) to use formal warnings in agencies with “a lot” of involvement in crime prevention as officers in those with “some” or “a little” involvement (26%). Similarly, if there is “a lot” of (100%) or “some” (97%) involvement, officers are more likely to use parental involvement as a form of informal action than officers in agencies with only “a little” involvement in crime prevention programs (80%). Further, the likelihood that officers will make referrals to external agencies is also higher in agencies with “a lot” of involvement in crime prevention (75%) than in those with “some” (61%) or “a little” involvement (52%). Not surprisingly, officers are more likely to say that they “almost always” use informal action with minor (22% vs. 10%) and provincial offences (24% vs. 12%) in agencies with “a lot” of involvement in crime prevention programs than in agencies with less involvement.

The more involved a police agency is in delivering crime prevention programs, the less likely its members are to “almost always” charge for minor or for serious offences. Agencies which are involved in “a lot” of or “some” programs are less likely to charge for minor offences (2%) than those with only “a little” involvement in crime prevention programs (14%). Similarly, agencies with “a lot” of or “some” crime prevention programs are less likely to “almost always” charge in serious offences (39%, compared with 61% of agencies with only “a little” involvement).

Table IV.4 shows percentages of apprehended youth who were charged in 1998-2000, according to the UCR Survey, broken down by the level of involvement of police services in crime prevention initiatives. The percentages are also broken down by the level of crime in the community, to control for the confounding effect of that variable. Since levels of charging vary substantially by province, it is also desirable to control for the individual province, but that was impossible, due to the small numbers of police services in the resulting cross-classification. The solution which we adopted was to calculate, for each police service, the percentage of apprehended youth who were charged, relative to the provincial average. For example, in British Columbia, the overall percentage of apprehended youth who were charged during 1998-2000 (in our sample) is 56% (Table II.1). Thus, if a police service in British Columbia charged 70% of apprehended youth, it would receive a score of +14%; if it charged 60% of apprehended youth, it would be scored as -10%.

Table IV.4 Proportion of apprehended young persons charged, 1998-2000, relative to the overall provincial level of charging, by the level of involvement of police in crime prevention initiatives, and by the perceived level of youth crime in the community

	Level of involvement in crime prevention		
	“A little”	“Some”	“A lot”
Perceived level of youth crime in the community	% charged	% charged	% charged
“Not very much”	-1%	n/a	+5%
“A normal amount”	±0%	-4%	-5%
“A lot”	+4%	+2%	-6%

Thus, in Table IV.4, in communities with “not very much” perceived youth crime, police services with only a little involvement in crime prevention initiatives have a rate of charging apprehended youth which is slightly (1%) below the provincial average, and those which are involved in “a lot” of initiatives have an average level of charging which is 5% above the provincial average.²⁹ This suggests that, in this type of community, involvement in crime prevention initiatives is associated with an *increase* in the propensity to charge, contrary to expectations. In communities with “a normal amount” of youth crime, police services with “a lot” of involvement have an average level of charging which is 5% below that of services with “a little” involvement; and in communities with “a lot” of youth crime, agencies with “a lot” of involvement have, on average, a level of charging which is 10% lower than those with “a little” involvement. Thus, the relationship between the level of involvement in crime prevention initiatives and the level of charging of apprehended youth becomes greater as the perceived amount of youth crime in the community increases.

We also asked respondents about the use of problem-oriented policing (POP) in their police service or detachment. When discussing problem-oriented policing, we were told by some officers that it is an outdated concept. Some of the alternatives they suggested are “solution-oriented policing” or “intelligence-led policing”. One officer suggested that “policing has changed from enforcement, to POP, now to community-based policing”. We were able to obtain information about the use of POP from 85 of the 92 police services and detachments in the sample. The answers were coded into four categories. *Front-line only* refers to those agencies where front-line officers are the only individuals who actively employ the POP model in the everyday execution of their duties. *Community policing officer only* refers to those agencies in which, when respondents were asked about POP projects, they either referred us to the CSO or indicated that only the CSO is actively involved in using the POP model on a day-to-day basis. *Front-line and Community policing officer only* refers to agencies where all front-line and the

²⁹ There were too few agencies in the “some involvement” category to calculate a reliable percentage.

community policing officer(s) are utilizing the POP model regularly. Finally, *all ranks* refers to agencies where front-line personnel, community policing officers, GIS, and management are all involved in POP to some degree. The sample is fairly evenly divided among the four categories (Figure IV.28).

Figure IV.28: Type of involvement in problem-oriented policing

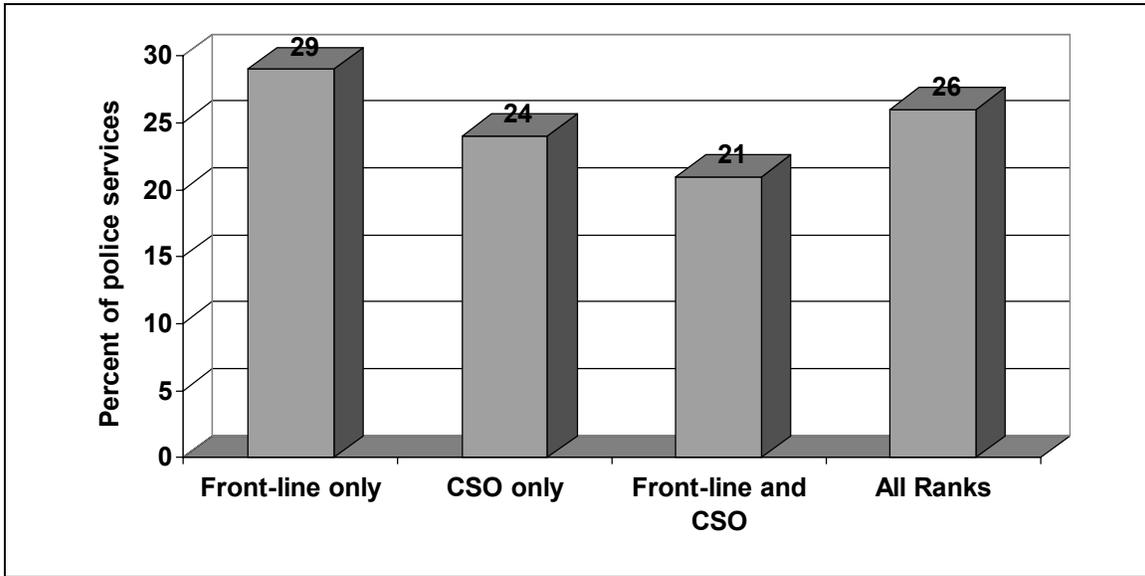


Figure IV.29 Regional distribution of the extent of adoption of the POP model

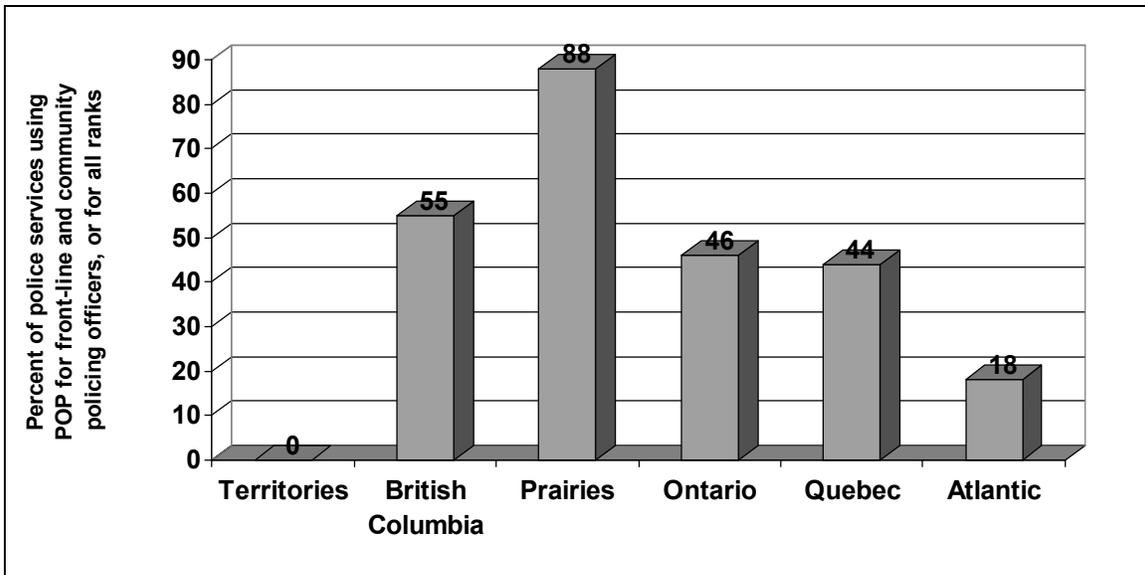


Figure IV.29 shows the regional distribution of the extent of use of the POP model by police services. In order to simplify the presentation, we have combined the categories “Front-line and Community policing officer” and “all ranks” to identify police services in which the use of the POP model is fairly widespread throughout the organization. Evidently, adoption of the POP model is well advanced in the Prairies, and not in the Territories or Atlantic provinces. Using the same combined grouping of police services, in which the POP model is used by all ranks or at least by front-line and CSO officers, we find that suburban/exurban police services are the most likely (65%) to have reached this level of adoption of POP, compared with metropolitan (54%) and rural and small town agencies (32%).

Police officers are more likely to “usually” or “always” consider informal action in agencies where the front-line officers actively incorporate POP into their everyday enforcement activities. In 92% of agencies where the use of POP is restricted to front-line officers, the use of informal action is “usually” or “always” considered, compared with 78% of those where both CSO’s and front-line officers use POP, 77% of those in which all ranks use POP, and 74% of agencies where its use is restricted to the CSO’s. Similarly, if front-line officers are the only agents active in applying the POP model, they are also more likely to “almost always” consider informal action with minor (32% vs. 11% of agencies with the other 3 models) and provincial offences (29% vs. 13% of other agencies). They are also more likely to “almost always” consider informal action for all offence types (45%) than those agencies where only a CSO uses POP (40%), front-line and CSO’s (31%), or all ranks (26%). This suggests that POP has more impact when it is used by front-line officers at the street level than in connection with specifically targeted community projects.

The relationship between the extent of an agency’s use of POP and its use of informal action (above) is reversed when we examine differences in the use of pre-charge alternative measures. Agencies whose front-line officers are the only officers applying the POP model are *less* likely to use pre-charge diversion (36%) than agencies in which only CSO’s use POP (55%), front-line and CSO’s use POP (50%), or agencies where all ranks are involved in using POP (59%). Once again, this suggests the relevance to diversion and referral decisions of the relationship between the police service and the community, as indicated by the involvement of CSO’s and other ranks, in contrast to the predominant role of front-line offices in decisions concerning informal action.

Table IV.5 shows the relationship between the police service’s adoption of POP and the proportion of apprehended youth which were charged during 1998-2000, according to the UCR Survey. As in Table IV.4, percentages are relative to the average provincial percentage charged. Police services in which POP is used by all ranks have a level of charging of apprehended youth which is, on average, 4% below their provincial averages; however, those in which POP is used by front-line officers only, or by front-line officers and CSO’s have levels of charging which are *higher* than their provincial averages. Applying controls for the level of youth crime in the community, etc., did not change the relationship. We speculate that this unexpected result is due to the inability to differentiate informal action from pre-charge diversion using UCR data. We noted above

that agencies whose front-line officers are the only officers applying the POP model are less likely to use pre-charge diversion; presumably this more than offsets the hypothesized increase in the use of informal action by these agencies.

Table IV.5 Proportion of apprehended young persons charged, 1998-2000, relative to the overall provincial level of charging, by the extent of adoption of the POP model

Extent of adoption of POP	% charged
Front-line only	+4%
CSO's only	-9%
Front-line and CSO's	+3%
All ranks	-4%

7.4 The organizational dimension : organizational redesign

Finally, the organizational dimension involves a restructuring of the organization to implement community policing. This in turn requires a philosophical reorientation which is easier to state than to describe. Many organizations have flattened their rank hierarchy, implemented new promotion evaluation criteria, and dedicated officers to focus solely on community policing issues. In our discussions with police officers we came to realize that the organizational dimension of community policing is much more complex than the others, and perhaps the most problematic to implement. Organizational redesign requires that management consult with all ranks in order to implement community policing in a manner which best suits the particular community. In several cases, police agencies had implemented most of the components of the philosophical, tactical, and strategic dimensions but had not (yet) revamped the organization or its underlying philosophy to deliver community policing effectively. Organizational redesign presupposes a genuine commitment to community policing on the part of the senior management team, which is then translated into a wide range of organizational innovations. We judged that to measure the extent to which this had happened in our sample of police services was beyond the capabilities of our chosen methodology.

8.0 Summary

In this chapter, we have examined several aspects of the organizational structure and orientation of police services, and attempted to ascertain to what extent they affect the exercise of discretion by officers. Therefore, the findings from this chapter may shed some light on what kinds of organizational change might produce results that are consistent with the intent of the YCJA.

Table IV.6 Summary of relationships between organizational variables and the proportion of apprehended young persons who were charged

Factor	% charged
Size (number of officers)	
1-24	69%
25-49	63%
50-99	56%
100-499	67%
500+	66%
Specialization	
Youth squad	65%
No youth squad	75%
SLO's – special cars	62%
SLO's - investigative	62%
SLO's – crime prevention presentations only	64%
No SLO's	73%
Policy and protocols for youth-related incidents	
Yes	-3%
No	+2%
Authority and responsibility to decide re laying a charge	
Autonomy, with youth specialization	60%
Review, generalist model	62%
Review, with youth specialization	69%
Autonomy, generalist model	76%
Support for community policing	
Not supportive	56-78%
Supportive – policy only	47-75%
Supportive with resources	35-75%
Involvement in crime prevention programs (in high crime communities)	
A little	+4%
Some	±0%
A lot	-6%
Adoption of POP	
Front-line officers only	+4%
CSO's only	-9%
Front-line officers and CSO's	+3%
All ranks	-4%

We have correlated information about the organization from the interviews with officers, and from documentation which was supplied to us, with information about the use of informal action, diversion, charging, and methods of compelling appearance. We have also, where possible, correlated organizational variables with statistical data on the charging of apprehended youth, taken from the UCR and UCR2 Surveys. Table IV.6 summarizes the findings from the analyses of UCR data. It is difficult to determine from

the available data the precise strength of the effect of each of these organizational variables on police decision-making – partly because of the limitations of the data, and partly because the variables are all interrelated. Nevertheless, we have found relationships, of varying degrees of strength, between each of these variables (except the size of the organization) and aspects of officers' decision-making with youth-related incidents.

The **size** of police services in the sample varied from 2 to 5,028 officers. It is difficult to isolate its effect on aspects of organizational functioning, because it is so strongly correlated with the size of the community which the police agency serves. Thus, any aspects of the police service which are related to its size are equally related to the size of its community, and are more plausibly attributed to the nature of the policing environment than to the size of the organization itself. Furthermore, there is no straightforward relationship between the size of the police service and the proportion of apprehended youth which it charges, according to the UCR Survey. Fortunately, size is the one aspect of the police organization over which management has little or no control, so its salience in a plan of organization redesign to accommodate the requirements of the YCJA is low.

The degree of **centralization** of a police organization refers to the extent to which central management retains control of day-to-day decision-making by its divisions. In principle, decentralization should increase the opportunities for the exercise of discretion by individual officers. Our interview data suggest that decentralized police agencies use more informal action, more pre-charge diversion, more Promise to Appear (PTA's), more conditions on release Undertakings, and more detention for JIR hearings. Analysis of UCR data found no differences between centralized and decentralized agencies in the level of charging of apprehended youth, when other related variables, such as the type of policing and community, were controlled.

We measured the degree of **hierarchy** of a police agency by counting the number of ranks in the police service or individual detachment. This varied between 1 and 12 ranks. As with the size of the organization, it is very difficult in the case of police organizations to isolate the impact of the degree of hierarchy on organizational functioning, because it is so strongly related to the size of the organization, and, ultimately, to the size of the community being served. Analysis of UCR data revealed no significant differences in charging related to the degree of hierarchy, but the analysis was hampered by missing data and the confounding effects of correlated variables. The only finding from the interview data is that agencies with more ranks tend to use more pre-charge diversion and more PTA's "as a higher consequence" for the youth, but both of these findings could be due to the type of community rather than the degree of hierarchy per se.

We examined three aspects of youth-related **specialization** in police forces: whether there is a youth squad, whether there are School Liaison Officers (SLO's), and if so, what duties they have, and whether the organization has written policies and protocols for handling youth-related incidents.

Only 17 of the 92 police agencies in the sample have **youth squads** or dedicated youth officers. These are all independent municipal police services, and 14 of them have more than 100 officers. They are mainly located in metropolitan areas, especially in Ontario, Quebec, and British Columbia. It is difficult for smaller police services and detachments to dedicate one or more officers exclusively to handling youth crime. Some of these smaller agencies have officers who specialize in youth-related incidents, but who also do other kinds of police work. It appears that the use of youth squads and dedicated youth officers by Canadian police services has diminished considerably since their heyday in the 1970's, and that this is probably largely due to financial stringencies during the 1990's.

Our data suggest that police services with youth sections and/or dedicated youth officers respond differently to youth-related incidents. It appears from the interview data that police services with youth sections or dedicated youth officers make more use of parental involvement, referrals to external agencies and pre-charge diversion, and less use of formal charges. Analysis of UCR data confirms that the overall use of formal charges is lower (Table IV.6), and the limited information from the UCR2 Survey suggests that the use of informal action is greater. They are more likely to use the less intrusive methods of compelling appearance, except that they tend to use more restrictive conditions with OIC undertakings and are more likely to use detention, like the conditions of release, as a means of addressing what they see as the criminogenic conditions of the youth's life. Many innovative programs are developed by youth officers, and they are able to involve themselves proactively with youth in the community within a primary, secondary or tertiary capacity. Youth officers acting as follow-up and as a resource to patrol officers facilitate the gathering of intelligence and an increased knowledge of alternatives to formal youth court. In a sense, the existence of a youth squad – just like the existence of a homicide or armed robbery unit - is an indication that the police service recognizes the unique nature of this particular kind of crime, and places priority on developing specialist expertise in responding to it.

83% of police agencies in the sample have **School Liaison Officers (SLO's)**, but only 40% assign enforcement duties (response, investigation and disposition) to their SLO's – in the other police services, the role of the SLO is restricted to making crime prevention presentations in schools. SLO's, especially with enforcement duties, are more common in larger police services, presumably because of resource considerations. UCR data on the proportion of apprehended youth who were charged in 1998 to 2000 suggest that the presence of SLOs, especially investigative or hybrid SLOs, slightly reduces the use of charging with young offenders. The interview data suggest that police agencies which have school liaison officers, especially investigative SLOs or special cars, appear to use less intrusive means of dealing with youth crime: they are more likely to use informal action, less likely to lay charges, bring the youth home or to the police station for questioning, more likely to make referrals to external agencies, more likely to use pre-charge diversion, and more likely to use appearance notices to compel attendance at court.

About half of the sample was able to provide documentation on **policies and protocols for handling youth-related incidents and young offenders**. However, only 13% of officers found their organizations' policies and protocols "helpful", and only 2% found them to be "realistic". Analysis of UCR data shows that police services which have youth-related policies and protocols charge, on average, 5% fewer apprehended youth. The interview and documentary data indicate that police services which have youth-related policies and protocols tend to make more use of pre-charge diversion, and of appearance notices. Many differences appear between officers who do and do not find these policies and procedures helpful and/or realistic. Those who find them helpful or realistic are more likely to use various forms of informal action, referrals to external agencies, pre-charge diversion, and appearance notices; and to "follow the law" and not to invoke social welfare considerations, in making detention and release decisions.

In examining what officers had the **authority and responsibility to lay a charge** (or recommend a charge, in Crown screening provinces) against a young person, we found four models, of which only two occur with any frequency. These are: front-line autonomy, and front-line initial decision with review by another officer(s). Analysis of UCR data suggests that the impact of the procedural model for charging varies, depending on whether the police service has a youth squad or not. The model which is associated with the lowest charge rates is front-line autonomy in a police service which has youth specialists. The model associated with the highest charge rate is front-line autonomy with no youth specialization. The implication is that front-line autonomy results in greater use of discretion not to charge young persons *if* the front-line officer has training to deal with youth, or if the police service is committed to using discretion with youth, as indicated by its establishment of a youth squad. If there is no youth specialization, or commitment to special treatment for youth, then autonomy appears to result in front-line officers using their discretion *to lay charges* against youth. Thus, in a police agency without youth specialization, it is the review by another officer, whether supervisor or GIS, which appears to moderate the tendency of front-line officers to lay charges. The interview data suggest three themes. First, the likelihood of police officers using informal action with young offenders is higher in police services where front-line officers are autonomous, and where there is a commitment to the use of discretion with youth. Second, agencies in which there are no dedicated youth officers, and front-line officers decide alone on the disposition of youth-related cases, tend to use referrals to external agencies and pre-charge diversion less, and lay charges more, than agencies in which a supervisor or youth specialist is involved in the decision. Finally, autonomous patrol officers appear to use less intrusive measures to compel the attendance of a young person in court. In cases where they *do* detain a young person they tend to do so as a result of stipulations within departmental policy.

We assessed the impact of **proactive versus reactive policing** in relation to individual officers, rather than trying to characterize an entire police service. 40% of officers said their work was mostly reactive, 9% said it was mostly proactive, and 51% said that their work involved "a bit of both". Officers whose work is mostly proactive are more likely to use informal action, less likely to use formal charges, less likely to detain youth for a JIR hearing, but more likely to use more intrusive conditions on release Undertakings.

We did not analyze UCR data in connection with this variable, since the UCR data are measured only at the level of the entire police service, not the individual officer.

Community policing can be seen as having four dimensions: philosophical, strategic, tactical, and organizational. We attempted to assess the impact on decision-making of the extent of adoption of the strategic and tactical dimensions.

The strategic dimension of community policing comprises the adoption and public promulgation of **written policies and protocols** for all aspects of policing, and the **allocation of significant resources** to community policing. According to the officers whom we interviewed, 22% of the police services in the sample have implemented the strategic dimension by allocating significant resources to community policing. This is considerably less than “virtually every” police force in Canada, which, according to Horne (1992) had adopted the rhetoric of community policing. Analysis of UCR data suggests that police services which have allocated resources to community policing have lower charge rates than those which have not. Analysis of the interview data suggests that police services which have allocated resources to community policing use more informal action, make more referrals to external agencies, use more pre-charge alternative measures, and more PTA’s to avoid detaining the youth, or “as a higher consequence” for the youth.

The tactical dimension of community policing includes involvement in **crime prevention programs** and the adoption of the **problem-oriented policing (POP) model**. Every police agency in the sample is involved in crime prevention programs, but the degree of involvement varies considerably. Analysis of UCR data suggests that agencies with a higher level of involvement in crime prevention programs tend to have a lower rate of charging, especially in communities with high levels of youth crime. The interview data suggest that more involvement in crime prevention programs is associated with more use of informal action. Adoption of the problem-oriented policing (POP) model does not appear to have a large impact on decision-making with youth. Analysis of the interview data suggests that if the POP model is used by front-line officers (i.e. is not “ghettoized” by assigning it only to Community Service Officers), then there is more use of informal action; however, if POP is used only by CSO’s, then there is more use of pre-charge diversion. Results of analysis of UCR data suggest that charge rates are lower in police agencies in which the POP model is used by CSO’s only, or by all ranks; however, the UCR data are not illuminating for variables which have an effect in one direction for informal action and in the other direction for pre-charge diversion, since the UCR combines the two phenomena, and in doing so, conflates their opposite effects.

The data which we have analyzed in this chapter suggest that police services which want to increase their use of informal action and of pre-charge diversion, and to reduce the use of intrusive methods of compelling appearance, might consider any of the following measures: wholehearted adoption of the community policing model, in all its dimensions, including a fundamental organizational redesign and philosophical reorientation, the allocation of significant resources to community policing, increased involvement in crime prevention programs, especially in high-crime communities, and

IV. Organizational factors affecting police discretion

the adoption of the POP model by all ranks; creation of a youth squad, or at least one or more officers who specialize in youth crime; adoption of explicit policies and protocols for handling youth crime and young offenders; provision of training in handling youth crime to all front-line officers, and then allowing them to have autonomy in deciding how to dispose of youth-related incidents; assigning investigative and enforcement functions to SLO's who currently are limited to making presentations in schools; increasing the use of proactive policing; and decentralizing decision-making in the organization.

