Private Versus Public Operation: A Comparison of two Juvenile Restitution Programs

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PRIVATE VERSUS PUBLIC OPERATION: A COMPARISON
OF TWO JUVENILE RESTITUTION PROGRAMS

by

Sudipta Roy

A Dissertation
Submitted to the
Faculty of The Graduate College
in partial fulfillment of the
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Western Michigan University
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The present research focuses on the effectiveness of two restitution programs for juvenile offenders, one in Elkhart County, Indiana, and the other in Kalamazoo County, Michigan. Effectiveness refers to the impact of the two restitution programs on offender restitution to their victims and on offender recidivism. The two programs are a Victim Offender Reconciliation Project (VORP) in Elkhart County and a non-VORP restitution program administered by the Juvenile Probate Court in Kalamazoo County. The VORP is operated by a private agency—the Center for Community Justice, while the Kalamazoo program is publicly operated. This study focuses on the impact of the privately operated program in comparison to the impact of the publicly operated program on offender repayments to victims and recidivism on the part of the offenders.

For this research, the data were gathered for restitution contracts (121 in Elkhart and 109 in Kalamazoo) from the beginning of 1987 to the end of 1988. All the program participants were followed through the end of 1989 to gather information on their recidivism during restitution programs and subsequent to their release from the programs. This information was collected from the written official documents of the Elkhart County Police Department, the Elkhart County Sheriff's Department, and the computer records of the Kalamazoo County Juvenile
Probate Court.

The findings from this research indicated that (a) there was no significant difference in completion of restitution contracts between privately operated and publicly operated programs, and (b) there was no significant difference in recidivism among the participants of the two programs. However, for the participants with prior offense records, both the programs had short-term effectiveness in reducing recidivism. That is, both the programs were effective in reducing recidivism among the juveniles only as long as they were under restitution supervision. The short-term effect faded away subsequent to their release from restitution programs, both private and public.
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Private versus public operation: A comparison of two juvenile restitution programs

Roy, Sudipta, Ph.D.
Western Michigan University, 1991
TABLE OF CONTENTS

LIST OF TABLES .......................................................... vi

CHAPTER

I. INTRODUCTION .................................................. 1
   Historical Background ........................................ 4
   Recent Interest In Restitution .................................. 11
   Restitution Programs In Elkhart County, Indiana and Kalamazoo County, Michigan ..................... 17
      The VORP in Elkhart County, Indiana .................. 17
      The Non-Vorp in Kalamazoo County, Michigan ...... 20

II. PREVIOUS RESEARCH ON JUVENILE RESTITUTION PROGRAMS ..... 22

III. RESEARCH METHOD ............................................. 37
   Data Collection ................................................. 38
   Samples ......................................................... 39
   Variables and Analysis ....................................... 40
      Dependent Variable ......................................... 41
      Independent Variables .................................. 42
      Race .......................................................... 42
      Sex .......................................................... 42
      Age .......................................................... 42
      Grade in School .......................................... 43
      Type of Damage Incurred Through Offense ............ 43
      Parental Status ............................................ 43
      Number of Days in Restitution ......................... 44
Table of Contents--Continued

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Restitution Amount Paid</td>
<td>45</td>
</tr>
<tr>
<td>Community Work Hours Done</td>
<td>45</td>
</tr>
<tr>
<td>Prior Criminal Record of the Offender</td>
<td>45</td>
</tr>
<tr>
<td>Analysis</td>
<td>45</td>
</tr>
<tr>
<td>IV. RESULTS</td>
<td>47</td>
</tr>
<tr>
<td>Descriptive Characteristics</td>
<td>47</td>
</tr>
<tr>
<td>Analysis</td>
<td>61</td>
</tr>
<tr>
<td>Completion of Restitution Contracts and Parental Status</td>
<td>61</td>
</tr>
<tr>
<td>Completion of Restitution, Recidivism, and Other Independent Variables</td>
<td>63</td>
</tr>
<tr>
<td>Completion of Restitution</td>
<td>68</td>
</tr>
<tr>
<td>Recidivism During Restitution</td>
<td>70</td>
</tr>
<tr>
<td>Recidivism Subsequent to Restitution</td>
<td>71</td>
</tr>
<tr>
<td>Hypothesis I</td>
<td>72</td>
</tr>
<tr>
<td>Sub-Hypothesis Ia</td>
<td>80</td>
</tr>
<tr>
<td>Hypothesis II</td>
<td>82</td>
</tr>
<tr>
<td>Synopsis of Findings</td>
<td>85</td>
</tr>
<tr>
<td>V. DISCUSSION AND CONCLUSIONS</td>
<td>89</td>
</tr>
<tr>
<td>Discussion of Findings</td>
<td>89</td>
</tr>
<tr>
<td>Conclusion</td>
<td>96</td>
</tr>
<tr>
<td>Shortcomings of the Present Study and Recommendations for Future Study</td>
<td>106</td>
</tr>
</tbody>
</table>
Table of Contents--Continued

APPENDICES

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. HSIRB Letter of Approval</td>
<td>109</td>
</tr>
<tr>
<td>B Instrument</td>
<td>111</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>115</td>
</tr>
</tbody>
</table>

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# LIST OF TABLES

1. Distribution of the Participants in the Two Programs .......... 40
2. Distribution of Completion of Restitution Contracts .......... 48
3. Number of Offenses Subsequent to Restitution .................. 50
4. Distribution of Race ......................................... 52
5. Distribution of Age .......................................... 53
6. Distribution of the Participants' Grades in School .......... 54
7. Distribution of Types of Damages ............................. 55
8. Parental Status of the Participants ........................... 55
9. Distribution of Number of Days in Restitution .............. 56
10. Restitution Amount Paid by the Participants ................. 57
11. Community Work Hours Required and Completed 
By the Participants............................................. 59
12. Prior Offense of the Participants ........................... 60
13. Cross-Tabulations and Significance of Parental Status 
and Completion of Restitution, Elkhart County.................. 62
14. Cross-Tabulations and Significance of Parental Status 
and Completion of Restitution, Kalamazoo County................. 63
15. Correlation Coefficients (Elkhart)............................. 65
16. Correlation Coefficients (Kalamazoo)........................... 66
17. Significant Coefficients of Correlation Between Variables... 67
18. Regression Coefficients of Independent Variables Toward 
Completion of Restitution........................................ 69
19. Regression Coefficients of Independent Variables Toward 
Offenses During Restitution..................................... 70
20. Regression Coefficients of Independent Variables Toward 
Offenses Subsequent to Restitution............................... 71
21. Group Means for Successful Cases.............................. 74
List of Tables--Continued

22. F Values of Independent Variables (Success) .................. 74
23. F Statistic and Significance Between Groups (Success) ........ 76
24. Group Means of Failure Cases .................................. 77
25. F Values of Independent Variables (Failure) .................. 77
26. F Statistic and Significance Between Groups (Failure) ...... 79
27. Chi-square Test of Number of Days in Restitution and Completion of Restitution Contracts ......................... 81
28. T-test for Offenses During Restitution .......................... 82
29. T-test for Offenses Subsequent to Restitution .................... 83
30. T-tests on Recidivism Among Participants ....................... 84
CHAPTER I

INTRODUCTION

This study is an attempt to focus on the effectiveness of two restitution programs for juvenile offenders, one in Elkhart County, Indiana, and the other in Kalamazoo County, Michigan. Effectiveness refers to the impact of the two juvenile programs on offender restitution to their victims and on offender recidivism. The two programs are a Victim Offender Reconciliation Project (VORP) and a non-VORP restitution program which is operated and monitored by the Juvenile Probate Court. The first program, VORP, is in Elkhart County, Indiana; it is a post-adjudication program. The second program, non-VORP, in Kalamazoo County, Michigan, is a pre-adjudication program. Also, the VORP is privately operated (i.e., it is operated and monitored by a private agency—the Center for Community Justice), while the Kalamazoo program is publicly operated. This research focuses on the impact of the privately-operated program in comparison to the impact of the publicly-operated program on offender repayments to victims and offender recidivism.

The practice of juvenile restitution through court-orders is a relatively recent development in the United States. Restitution is now interwoven into the juvenile justice system, often alongside other sanctions of the court. Restitution provides the offender with an opportunity to redress his/her crime. As Schafer (1972) puts it, "Restitution...is something an offender does, not something done..."
for him or to him, and as it requires effort on his part, it is especially useful in strengthening his feelings of responsibility" (p. 26). Restitution calls for a decision by a criminal court and payment by the offender. According to Galaway (cited in Harding, 1982, p. 16), "restitution is defined to mean a requirement. . . . by which the offender engages in acts designed to make reparation for the harm resulting from the criminal offense." In the words of Maloney, Gilbean, Hofford, Remington, and Steenson (1982):

Most importantly, juvenile restitution serves as an important tool in the process of rehabilitation. It also serves as a deterrent to repeated offenses. Youths who are held accountable for their actions are given the chance to accept personal responsibilities for their lives. To the community, restitution offers a juvenile justice response which makes sense. It is an understandable, logical consequence to unlawful behavior. (pp. 4-5)

Maloney et al. (1982) also maintain that properly implemented, restitution responds to the needs of victims. In most situations victims have an opportunity to recover their losses. "More importantly, restitution recognizes, for the first time in this century, that the victim is in fact an actor in family court justice" (Maloney et al., 1982, p. 4).

Although programs may offer one or more options, there are three types of restitution which exist:

1. Financial reimbursement—the youth forfeits personal savings or works on a job until he or she earns enough money to repay the victim.

2. Community service—the youth works on a voluntary basis with a community agency or organization for a specified period of time to, at best, symbolically repay the losses incurred by the community.
3. Service to victim—the youth works voluntarily for the victim during a specified period of time to repair or replace the damaged or stolen property.

"The court has the power to order reasonable consequences [for the young offender] including restitution" (Jeffrey C. v. Juvenile Department of Second Judicial Court, Nevada, 1986, p. 6). In the 1980s several states have enacted statutes requiring judges to make restitution a part of court order. Restitution programs in the United States "have been established to further the penal aims of the State" (Galaway, 1981, p. 56).

However, the fact is, previous researchers have commented that privately operated programs like VORP are more effective than publicly operated programs in terms of offender restitution to their victims and offender recidivism. The contention is, because offenders meet their victims face-to-face in private programs, they have more accountability and responsibility than offenders who never meet their victims in public programs. Consequently, offenders in private programs have lower recidivism rates than offenders in public programs. Also, according to the previous evaluation studies, offenders' compliance rate with restitution order goes down if they spend an extended period of time under restitution supervision. That is, compliance with restitution contracts is dependent upon the duration of restitution supervision. Furthermore, there is a void in comparative evaluation studies on juvenile restitution programs (e.g., comparing publicly operated programs with privately operated ones). Additionally, very limited research has been conducted regarding the impact of private programs
like VORP upon the participants' recidivism. Most of all, previous researchers did not evaluate programs where participation by offender had been voluntary. Therefore, the purpose of this study is to compare the effectiveness of the publicly operated restitution program in Kalamazoo with the privately operated restitution project in Elkhart.

### Historical Background

Even though the practice of juvenile restitution is a recent development in the juvenile justice system in the United States, the concept of criminal restitution goes back historically to ancient societies. In those societies, ideas of restitutive justice were developed in response to: the desire to prevent the socially disintegrating effects of privately wrought restitution (taking the form of blood feuds or vengeance toward offenders); the trend toward a strengthened central authority; and a growing willingness on the part of offenders to submit to communal arbitration rather than risk the vengeance of their victims (Laster, 1970).

One of the oldest known statutory schemes for the delivery of benefits to victims of crime was the "lex talionis," first formulated in the Code of Hammurabi, under which the wronged party was entitled to exact an eye for an eye, and a tooth for a tooth. This dates back to the period around 2380 B.C. (Jacob, 1977). The Code provided that if a robber has not been caught, the city and the governor in whose territory and district the robbery was committed, shall replace the victim with his lost property. In addition, it provided that if it was a life that was lost, the city and the governor shall pay one
mina of silver to his or her heirs. The payments of benefits did not depend on identification of the offender, but individual liability was recognized in cases in which an offender was identified and apprehended.

As the community became structured and its leadership more centralized, codes of law were enacted to serve as guidelines for acceptable behavior. The laws of those societies contained monetary evaluations for offenses as compensation or composition to the victim. Composition under such codes was used as a means of providing indemnification for the victim among the ancient Babylonians (under the Code of Hammurabi), the Hebrews (under the Mosaic law), the ancient Greeks, the Romans, the ancient Germans, and the British. The Mosaic law as well as the Greek and the Roman penal codes incorporated provisions for restitutive payments (Law and Justice Study Center, 1975). These penal codes were tort-like in nature, that is, while recognizing the private and individual nature of an offense, they attempted to bring about redress through economic means.

The evolution of restitution in the western European societies goes back to the Germanic tribes on the continent and to the Saxons across the English Channel on the British Isles. The Germanic tribes, for instance, implemented an elaborate system of composition (a combination of compensation, punishment, and settlement) which transformed private retaliation into a formal law of enquiry that allowed for compensation to the victim or his heirs and avenged the deed of the offender.

Under the 7th century Anglo-Saxon penal code of King Ethelbert,
the concept and practice of restitution reached its zenith. According to that code, the offender was required to make two restitutive payments: in the case of injury, the "wer" which refers to payments made to the victim or his heirs; and the "wite" (fine) which was paid to the King in reparation for having broken the peace (Law and Justice Study Center, 1975).

The payment of a fine to the King signified the onset of a transformation in the nature of restitution, in which the victim's rights to direct restitution were increasingly obscured by the payment of fines to the state. This transformation coincided with the movement toward concentration of political power in centralized authorities. According to Schafer (1960):

As the state monopolized the institution of punishment, so the rights of the injured [were] slowly separated from the penal law; compensation, punishment, and settlement, as the obligation to pay damages, became separated from the criminal law and became a special field of civil law. (p. 3)

So the dynamics of the restitutive process were influenced by the growth of central political authorities. As the state continued to assume an increasingly larger share of assessed compensation, the opportunity for victims of crime to claim direct damages became less and less available in the penal process.

During the 16th and 17th centuries a division between civil and criminal proceedings was further established, signaling the end of a direct legal relationship between the victim and the offender. During this period, the focus of the restitutive process shifted to a state-offender interaction. This resulted in a diminished emphasis on harm to the victim and a reinforcement of the concept of harm to
society. This change enhanced the justification of the state's role in punishing offenders (Laster, 1970). It became an accepted process for a judge in a criminal case to determine whether to include the victim's claim as part of the criminal proceedings, or whether to relegate such claims to a civil court. A few decisions to hear victims within criminal proceedings ensued and finally, procedures were developed allowing assets to be transferred from offenders to victims only within a civil forum, with the state assuming an arbitral role (Law and Justice Study Center, 1975).

The ancient historical evolutionary process consisted of several stages: (a) private vengeance; (b) collective vengeance; (c) the process of negotiation and composition; (d) the adoption of codes advocating preset compensation amounts to be awarded to the victim through the composition process; (e) the gradual intervention of lords or rulers as mediators and payments to them of a percentage of the composition-compensation award; and (f) the complete takeover by the criminal justice process and the disappearance of restitution from the criminal law. The interests of the state gradually overshadowed and supplanted those of the victims. Restitution to the victim came to play an insignificant role in the administration of criminal law. "The victims' rights and the concepts of composition and restitution were separated from the criminal law and instead became incorporated into the civil law of torts" (Jacob, 1977, p. 28).

However, occasional calls for a return to reparative justice were made following its decline in the late Middle Ages. The
significant contributors included Sir Thomas Moore, a noted 16th century British statesman, and Jeremy Bentham, an 18th century social philosopher. Sir Thomas Moore suggested that offenders work on public projects and make reparations to victims rather than to the King or the state. Bentham argued that part of the penalty for crime must entail substantive satisfaction being provided to the victim through the offender's making restitution for losses and damages.

With the advent of the 19th century, the calls for restitution began to increase. The decline in the use of restitution caused penal reformers to call for an increase in the use of this sanction. In 1847, Bonneville, a leading French criminologist and penal reformer, proposed a program of restitution for victims of violent crimes. The propositions of Bonneville (cited in Manheim, 1972) about restitution were directly responsive to the radical thinking of the Italian positivist school, favoring a mingling of criminal and civil procedures to satisfy efficiently a personal injury. He emphasized the element of public responsibility, and proposed that the amount of restitution by the offender to the victim should be decided ex-officio in the criminal court and the obligation to repay the victim as prescribed should be a criminal obligation.

Authorities in the emerging field of criminology such as Bentham, Ferri, Garofalo, Livingston, and Puis presented plans that incorporated the concept of restitution. Along with Ferri and Garofalo, Lombroso (1948) believed that the victim of a crime should be properly compensated for injury. This would not only be an ideal punishment, but would benefit the victim as well, he thought. Garofalo (1948)
used the term "reparation" instead of "restitution." He advocated enforced reparation from offenders to victims. In his opinion, damages are to be assessed in sufficient amount not only adequate for complete indemnification of the injured party but to cover the expenses incurred by the state as a result of the offender's dereliction. According to him, if the offender's means are inadequate, his labor must be devoted to the required reparation.

Durkheim (1933) maintained that the kind and the degree of punishment and the rationale behind sanctions have varied according to the organizational structure of a society. According to Durkheim, in the advanced and differentiated urban society, the law is not concerned with the preservation of social solidarity but merely with restitution and reinstatement. Hence, the punishment becomes evaluated in terms of the amount of harm done to the victim. The law, the court, and the judge should act as arbiter between the offender, the victim, and the state. The wrong should be measured in terms of the damage or injury done to the victim. The complexity of life demands certain conformity to rules not to protect society but to give protection to other individuals in society. In this society crimes are thought of as acts which offend others and not the collective conscience. The punishment should be evaluated in terms of a satisfactory settlement with the victim.

Proposals were offered by leading criminologists at a number of international conferences (Stockholm, 1878; Rome, 1885; St. Petersburg, 1890; Paris, 1895) where the recurring theme was a return to reparative justice providing aid to the victim and also
help in offender rehabilitation. However, authorities failed to act upon these recommendations, and interest in the concept of restitution waned. This interest was not revived again until the middle of this century when Margery Fry, a prominent British penal reformer, began to advocate the restitutive approach.

The debate surrounding the use of restitution was revived in the 1950s, with a focus on the rights of victims of crime. The gradual increase in the use of restitutive sanctions in the United States was linked to the advent of suspended sentences and probation laws. As a consequence of the introduction of probation during the late 1800s, some probation contracts began to make explicit provisions for restitution as a condition of probation. By the late 1920s, specific mention of restitution had been made in the statutes of eleven states as well as those of Federal jurisdictions. Since the 1920s there has been an increase in the statutory authorization and the use of restitution.

A recent development in the juvenile justice system is the consideration of victim rights in the sentencing process. Victim rights advocates argue that victims have rights, just as offenders have rights. Victims have the right to financial reimbursement for crimes they encounter. This change can be attributed to a number of factors: the endorsement of restitution by respected authorities in the area of criminal and juvenile justice; the development of the field of victimology; and the funding support from the Federal government for the development of restitution programs and for research on restitution.
Recent Interest In Restitution

Walker (1980) in his book Popular Justice has refuted the "myth of a changeless justice system" (p. 5); he strongly argued that it has historically been subjected to public pressure. The history of juvenile justice supports his contention. However, the history indicates that in at least one aspect, the juvenile justice system has remained unchanged. The system has operated under several rationales for the punishment of offenders, such as retribution, deterrence, and rehabilitation. Yet, regardless of the rationales, the primary goal has been, and continues to be, the control of behavior considered to have pernicious effects on the maintenance of social harmony. Specifically, the juvenile justice system has always been concerned with the offenders.

Specific purposes of criminal sentencing have commonly been stated in these forms—to punish, to rehabilitate, to deter, to protect the community. The writings in the 1970s tend to emphasize the punishment and deterrence functions as compared to emphasis on rehabilitation. As Hudson and Galaway (1977) put it, "A relatively sharp break with the dominant paradigm of treatment and rehabilitation appears to be occurring within the contemporary administration of justice" (p. 10). A movement back to many of the basic tenets of the classical and neoclassical schools of criminology has taken place along with a turning away from the central beliefs of the positivist school. Within the classical tradition the emphasis on man's rationality and control of behavior, the relative disregard of the question of causality, the stress on the deterrent effect of
punishment, and the freedom of people seen as in need of legal protection by the state, are being increasingly accepted.

According to the positivists, response to criminal behavior requires treatment and rehabilitation rather than punishment and deterrence. Both the classical and the positivist schools of criminology are advocates of the use of restitution. For instance, taking a classical approach, Bentham favored the use of restitutive sanction because of what he saw as its punitive aspects and what he regarded as potential deterrent effects that might result from its use. A different view was offered by positivists who looked at restitution as one of the three major components of their social defense proposals, together with the use of indeterminate sentencing and classification of offenders. Restitution was advocated by them as one of the reasonable steps a society could take to defend itself from the effects of criminal behavior. However, they recommended restitution on the grounds that a society could reasonably require that the offender make amends to the victim for his or her losses.

"Whether seen as punishing or rehabilitating the offender, restitution seeks, at a minimum, to give some recognition to the claims of the victim" (Staples, 1986, p. 179). In its simplest form, juvenile restitution involves a 12-to-17-year-old offender repaying the victim for loss or damage. One aim of restitution is to restore, at least partially, the victim's loss and to satisfy the victim that the youth is being held responsible for his or her act. Advocates of restitution argue that it not only restores the utilitarian balance between the offender and the victim, it also restores the moral
balance by making the offender part of the victimization experience.

The recent growth of interest in the United States in the use of restitution as a dispositional option for the courts is tied to a number of factors: efforts in the 1960s and 1970s to introduce major reforms in the juvenile justice system, the continuing search for innovative correctional programs, and concern for the plight of victims. The steps to deinstitutionalize and divert adolescent offenders during the 1960s and the 1970s represented the emergence of a correctional ideology which was a reaction to the excesses and failure of institutional or custodial care. Lipton, Martinson, and Wilks (1975) contend that correctional treatment goals were often vague and the presumed relationship between the treatments imposed and the criminal behaviors of the offenders were ambiguous. Furthermore, "the deterministic theories underlying many treatment approaches could be construed to provide a justification for offenders' illegal behavior rather than for holding offenders accountable for their behavior" (Galaway, 1983, p. 11).

The record of treatment failures in the juvenile justice system is extensive (Gibbons, 1986). A number of efforts have been made to create therapeutic milieus in correctional institutions, but to no avail (Jesness, 1965). The record of various counseling-oriented endeavors in the juvenile justice system is a dismal one. Many of these programs have had little or no impact upon youths diverted to these ventures, and many of them ended up in "net widening" which is the opposite of what was intended by such endeavors (Binder & Geis, 1984; Decker, 1985; Polk, 1984).
According to Regnery (1986), there is a desperate need for reforming the juvenile justice system. The juvenile justice system has traditionally been most concerned with the offender only, often at the expense of the society. Its guiding force, in fact, has been the belief that it is the offender who is the victim, and the court must do something in the best interest of the society at large. To a great extent, "the system has been based on the Rousseauian notion that people are born good, but corrupted by institutions" (Regnery, 1986, p. 49). Regnery also contends that this concept has worked in the first two or three decades of this century, but does not any longer.

The criticisms of juvenile training schools led to the evolution of a new set of ideas about appropriate treatment of juvenile offenders and favored the use of community-based alternatives as a major option to institutionalization. Community-based services are less expensive than institutional services, and since program staff and clients are closer to meaningful community contact, community-based alternatives are expected to improve the probability of client reintegration. Hence, restitution as an alternative sentencing appears to fit well with all these options. Restitution designed to "emphasize accountability on the part of the offender and responsibility for one's actions, can have an effect on the offender's behavior" (Regnery, 1986, p. 45).

Restitutive sanctions have been advanced as benefiting victims, offenders, and the juvenile justice system. The philosophical base of the victim orientation comes from the victim rights movement. The proponents emphasize that our courts have given too much attention to offenders and not enough to victims (Schneider, 1985). One of the
fundamental responsibilities of the government is to provide protection for its citizens. When that protection is not effective, when people are victimized through crimes, then the victims have a right to be repaid for their damages. The juvenile justice system should sentence the offenders to pay back their victims. To this end, restitutive sanction is beneficial to the victims.

The sentence of restitution is a mechanism for integrating victim interest into our juvenile justice system, "for contributing to the state interest in reforming offenders, and for providing a punishment for the offender" (Galaway, 1988, p. 3). That is, like other sentences, it punishes those who break the law, and at the same time, restores victims to the condition prior to their offenses by providing the opportunity to achieve equity by being recompensed by their offenders. As Galaway (1988) contends, "Restitution appears to be logically consistent with the notion of just deserts" (p. 7).

As Finn and Lee (1987) contend, the very act of making restitution payments can be punitive as well as rehabilitative, since offenders are forced to make reparation for the harm caused by their behaviors. Additionally, Maloney et al. (1982) stress that restitution holds offenders accountable and provides the opportunity to take personal responsibility for their criminal activities. Schneider (1985) maintains that through restitutive sanction the juvenile justice system holds juvenile offenders accountable in a way that is proportionate to the harm done and to the youth's level of responsibility for the offense. Furthermore, restitution can serve as a deterrent (Finn & Lee, 1987), since it lowers net gains for
committing crimes. Still others (e.g., Miller, 1981) posit that the payment schedule provides an objective and tangible criterion to the juvenile justice system for evaluating offender progress. Also, proponents of restitution (Davis, Fishbein, & Hamparin, 1984; Galaway, 1983; Wilson, 1983) characterize restitutive sanction as a cost-effective alternative to incarceration. The logic behind this contention rests on the premise that those sentenced to restitution would not burden the society with high cost of institutionalization.

Overall, the following major goals of restitution have been suggested: offender accountability, rehabilitation, and reduced recidivism; victim compensation for losses suffered; increased perception that equity has been restored; relief of the overburdened justice system through a reduction in court cases; alleviation of overcrowding in correctional institutions; and a reduction in the costs of processing offenders through the system (Worrall, 1981).

In the United States, the President’s Task Force (1982) specifically recommended that judges should order restitution to the victims in all cases in which the victims have suffered financial loss. In the same year, the Federal government enacted a restitution law—the Victim Witness Protection Act. Also, in just a few years, thirty state legislatures codified laws prescribing the use of restitution as a sanction for certain types of crime (Upson, 1987). Certainly, now that restitutive sentence is codified into law at both Federal and state levels, possibilities are better than ever for victims being recompensed for their losses.
Restitution Programs In Elkhart County, Indiana
And Kalamazoo County, Michigan

In the United States, the juvenile justice system uses four models of restitution programs: (1) restitution as a component of Victim/Witness Assistance Programs; (2) restitution administered through court-based employment programs; (3) restitution practiced through Victim Offender Reconciliation Programs (VROP); and (4) restitution administered in conjunction with the offender supervision provided by probation or parole services (McGillis, 1986). The present research focuses on the last two restitution models being used in Elkhart County, Indiana and Kalamazoo County, Michigan. In other words, a comparison of effectiveness between VROP and non-VROP undertakings for juvenile restitution in those two counties is the center of attention here.

The VROP in Elkhart County, Indiana

The first Victim Offender Reconciliation Program was developed in Ontario, Canada in 1975 by the local Mennonite Central Committee. This has been replicated in over 24 jurisdictions in the United States. Established in 1978, the Elkhart County, Indiana program is the oldest of these programs. It has been handling over 100 juvenile cases per year, reaching 201 cases in 1988. The Center for Community Justice as a private agency operates the VROP as an alternative process available to judges and probation officers in dealing with criminal conflicts. The VROP deals mainly, not exclusively, with property offenses. It is an innovative process, with the main philosophy being

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reconciliation between the offender and the victim.

The Victim Offender Reconciliation Program is a specific form of conflict resolution. The VORP is unique in that it focuses particularly on the victim-offender conflict. The essence of the VORP process is a face-to-face encounter between the victim and the offender. The encounters are organized and mediated, by trained community volunteers, not by juvenile justice personnel representing the power of the state. Both the parties (offender and victim) are given the chance to negotiate their own restitution contract rather than the state imposing a settlement. The VORP offers the possibility of forgiveness and reconciliation. People involved are provided an experience in the peaceful resolution of conflict.

Cases are referred to the VORP by the court and the probation department of Elkhart County, although referrals are accepted from other juvenile justice personnel of the county (i.e., prosecutors, lawyers, etc.). After a referral is received and screened, both the victim and the offender are contacted by VORP staff. At that time, the program is explained and participation in the VORP process is solicited. If both parties are willing to meet, the case is then assigned to a volunteer trained in mediation. Meetings are arranged between offenders and their victims providing an opportunity for mediation, restitution, and reconciliation.

"The use of community volunteers is central to the concept of the VORP" (McGillis, 1986, p. 10). The programs are based on the assumption that volunteers demonstrate a direct commitment to the community to heal the damage from crime and also are able to evade
the problems of bureaucratization and associated unresponsiveness to client needs commonly found in many institutionalized programs. The majority of the project's work is done by these volunteers. Their functions include making initial personal contacts with victims and offenders, scheduling joint or face-to-face meetings, and serving as neutral mediators at the meetings. They also prepare case summaries of each meeting describing the issues discussed and the restitution agreement reached. In the meetings the facts of the cases are discussed, restitution negotiated, and a contract signed stating the nature and amount of restitution agreed upon. The meeting is structured so that both the victim and the offender have a chance to express their feelings, as an essential element of conflict resolution.

After the VORP meeting, the contract and a written summary of the meeting are sent to the referring agency for approval and enforcement. The VORP maintains contact with the victim and the offender, and monitors fulfillment of the restitution contract. Participation in the VORP is voluntary. While the VORP may be ordered as part of a criminal sentence or as a condition of probation, the referral is not pursued if either the victim or the offender is unwilling. Also, in the event that no agreement is reached at the VORP meeting, options are explained and the case is returned to the referring agency.

As McGillis (1986) says, both offenders and their victims have a positive view of the reconciliation process incorporated in the VORP restitution model. "This approach clearly has the significant advantage of creating a procedure that allows both the victim and the
offender to view crime in human terms. By focusing on the development of a mutual understanding between the victim and the offender, benefits accrue in more than economic terms" (p. 11). The mediation and reconciliation make the offender accountable and responsible for his or her wrongdoings and also committed to recompense the victim's damages. The VORP emphasizes dual benefits to the victim.

In the words of McGillis (1986):

The victim is given the rare opportunity of confronting the person who violated him. This face-to-face meeting in the presence of a trained community facilitator allows the victim to express intense feelings of frustration, hurt, and anger. Beyond such emotional benefits, the victim can work out acceptable restitution and repayment by the offender. In short, the traumatic experience of being a victim can be dealt with in a more whole sense and be brought to a close. (p. 9)

The Non-VORP in Kalamazoo County, Michigan

The Kalamazoo County Juvenile Probate Court initiated a restitution program at the intake level in 1984. This non-formal (means prior to adjudication) juvenile court restitution program has been intended to serve as a court diversion program by providing an alternative to adjudication where victims suffer loss or damage to property or person. Like the Elkhart program, participation in this restitution program is voluntary. The program has been designed to be responsive to the needs and perceptions of offenders, victims, the community, and the juvenile justice system. This program takes a systems approach which recognizes that delinquent behavior has ramifications for various individuals and organizations within the community, including the offender. The program seeks to recognize
and clearly define the roles of offenders, victims, the community, and the juvenile justice system in the resolution of certain delinquent acts (Elrod, 1984). The main objectives are—the offenders should be accountable for their acts; program participants should complete the terms of their restitution agreements; recidivism should be reduced among the program participants; victims should be satisfied with the program; victims should be reimbursed for out-of-pocket monetary loss; community service participation should comply with the court-ordered community service placements for the restitution program.

The program description includes program eligibility criteria, the intake process, preliminary inquiries and program assignment, development of restitution agreements, monetary payments to victims, community service placements, case monitoring, and program termination (Elrod, 1984). The restitution service agreement conditions are—the number of hours of community work, where it is to be performed, and who will supervise placement. The conditions for monetary payment agreement include a schedule of payments to victims, where these payments are to be made, and to whom they are to be made.

As mentioned earlier, the present research compares the juvenile restitution program in Elkhart with that in Kalamazoo. The Elkhart program was established as the first VORP for juvenile offenders in the country in 1978. In comparison, the Kalamazoo program has been a relatively recent one, established in 1984. This comparative study focuses on the effectiveness of the two types of juvenile restitution programs discussed above.
CHAPTER II

PREVIOUS RESEARCH ON JUVENILE RESTITUTION PROGRAMS

In 1978 the United States Department of Justice launched a nationwide research and development project--Restitution by Juvenile Offenders: An Alternative to Incarceration--designed to support and experiment with the use of restitution as an alternative to traditional dispositions in juvenile courts (Armstrong, Hofford, Maloney, Remington, & Steenson, 1983). This grant program represented the first large-scale, multi-jurisdictional attempt to test the appropriateness of restitution as a sanction for adjudicated juvenile offenders. This effort was intended to assure greater accountability on the part of convicted juveniles toward their victims and communities.

The National Juvenile Restitution Initiative emerged as a three-year, $30 million effort in which 41 separate grants were awarded. That included six grants to state agencies for implementation of programs on a statewide basis at a total of 50 separate sites and 35 grants to local agencies. Programs in the Initiative varied in types of restitution assignments they provided for participants. Based upon program designs, most grantees intended to use all three forms of restitution (community service, financial reimbursements to victims, and direct service to victims). Community service was the second most assigned type after financial reimbursements. More than one-half of the programs made arrangements with juvenile courts in their
courts in their jurisdictions to develop restitution plans which were then presented at dispositional hearings.

Empirical studies evaluating juvenile restitution have been reported since the late 1970s. These studies have defined the effectiveness of restitution in terms of successful completion of restitution contracts on the part of offenders and the impact of restitution in lowering offender recidivism. The first one, successful completion of restitution contracts, focuses on the impact of restitution on victims. The amount of loss returned, the number of proportion of victims provided with restitution, victim satisfaction with the outcome of the case, and victim perceptions of the fairness or justice of the sentence are the common performance indicators included in these evaluative studies.

The Institute of Policy Analysis (IPA) was assigned the task of conducting an evaluation of the National Juvenile Restitution Initiative. Selected findings from this evaluation are available (Armstrong et al., 1983). The most significant finding of program performance was successful completion of restitution agreements or contracts. The level of successful completion of all referrals (community service, financial reimbursements to victims, and direct service to victims) was a little over 86%. The following background characteristics in descending order of importance were moderately related to successful completion of restitution contracts—consistent school attendance, higher income, race, and number of prior offenses. The severity of recuring offenses was only weakly related; age and sex of offenders showed no relationship. Youngsters active in
educational settings such as alternative schools and GED programs showed successful completion rates about 2.4% higher than youngsters who were not in school. Juveniles from the lowest income group (less than $6,000 per year) had the lowest level of successful completion (80.9%). Juveniles from higher income category (over $20,000 per year) had the highest successful completion rate (91.5%). The size of restitution orders (monetary restitution or community service restitution) was significantly related to successful completion of restitution requirements. In case of monetary restitution, successful completion varied from 77.4% ($335 or more) to 92.7% ($40 or less), depending upon the amount ordered. Regarding community service restitution, successful completion varied from 76.9% (75 hours or more) to 96.2% (16 hours or less).

Haarman and Covington (1981) reported an evaluation of the post-adjudication juvenile restitution project in Jefferson County, Kentucky. Restitution was ordered for property offenses and personal crimes for which medical expenses were incurred. Restitution contracts included both financial reimbursements to victims and community service. The authors reported a high successful completion percentage of 90.9. Among the project participants, 40% were first time offenders. The effectiveness of restitution in this evaluation was defined in terms of its impact on reimbursement to victims, not on offender recidivism.

Schneider, Schneider, & Evers (1981) conducted an evaluation of the juvenile restitution project of the Fourth Judicial Court in Ada County, Idaho. In this post-adjudication project, restitution
agreements or contracts were drawn between juvenile offenders and the court for monetary repayments to victims, victim service, and community service. The researchers reported "79% of restitution cases were closed with full compliance of restitution requirements" (p. 3). No information about reducing recidivism among the program participants was available.

Stephen Hunt (1981) reported a comparative evaluation of two restitution programs, their similarities and differences in Orleans parish, New Orleans, Louisiana. The comparison was between the adult and the juvenile restitution programs in that parish. Restitution contracts were drawn between adjudicated offenders and courts (adult and juvenile). In this evaluation, the effectiveness of restitution was defined in terms of successful completion of restitution contracts only. The level of successful completion for all referrals (financial reimbursements to victims and community service) among juveniles was 57%.

Another evaluation of juvenile restitution programs was reported by Davis et al. (1984). The researchers studied restitution programs for serious juvenile offenders in Lucas, Summit, and Franklin counties, Ohio. These programs included all three categories of restitution (community service, financial repayments to victims, and victim service). Offenders were court-ordered to participate in restitution programs either prior to or after their adjudication. Prior to adjudication restitution occurred at the point of contact with law enforcement or judicial officials or at police or juvenile court intake. At the time of adjudication and post-adjudication
restitution was ordered generally by a judge or at the dispositional hearing. These restitution programs were used as a court diversion process. Approximately 300 youths participated per year in these programs. The findings from Franklin County revealed that offenders (almost 100% felony offenders) came up with a successful completion rate of 80%. The highest completion rate was found in Summit County (98%; approximately 50% felony offenders). The second highest was Lucas County (92%; about 33% felony offenders). However, the researchers did not evaluate the impact of these restitution programs on offender recidivism, which is one major objective of juvenile restitution programming.

The first two studies of restitution's impact on recidivism among juvenile offenders were conducted by doctoral candidates. In the first one, conducted by Wax (1977) in Pullman, Washington, juveniles were randomly assigned to one of the three groups: (1) monetary restitution (with victims present at sentencing), (2) community service restitution, and (3) a control group that had no contact with victims and paid no restitution. The differences in recidivism rates were not found to be statistically significant, although the two restitution groups were reported to have positive impact on some psychological tests (Wax, 1977). The size of the sample in this evaluation was small (n = 36). Consequently, the problem was that "the possibility of finding an effect on recidivism, even if one existed, was exceptionally low" (Schneider, 1986, p. 536).

The second evaluation, conducted by Guedalia (1979), of the impact of restitution on recidivism included 250 offenders at the Tulsa
County juvenile restitution program, Oklahoma. The researcher reported that victim contact and restitution orders of less than $100 were the two independent variables significantly related to reduced recidivism. Among these two variables, "the latter, of course, could simply be a reflection of a less serious offense (hence, the lower amount of restitution order)" (Schneider, 1986, p. 537).

Additionally, there have been a number of evaluative studies conducted during the 1980s assessing the effectiveness of restitution in terms of both successful completion of restitution contracts by offenders as well as offender recidivism. For instance, Beck-Zierdt (1980) evaluated post-adjudication juvenile restitution programs in Benton, Sherburne, and Stearns Counties, Minnesota. The data were collected for juvenile program participants between January, 1978 and July, 1979. Collectively, 304 clients were referred to monetary and community service restitution programs, under the supervision of probation officials. The significant aspect of these programs was face-to-face conference of offenders with their victims. The level of successful completion of both referrals was 66%. Regarding offender recidivism, after a six-month followup period, the author reported that only 10.3% of program participants reoffended.

In 1980, another evaluative study of juvenile restitution was conducted by Crotty and Meier. In this post-adjudication program in Lyme County, Connecticut, 158 juvenile offenders were referred to monetary and community service restitution. Crotty and Meier (1980) collected data on restitution program participants between May, 1979 and August, 1980. They reported that 89.8% of these juveniles
successfully completed their restitution contracts with the court. Followup for all juveniles was conducted in six months intervals--at the end of the first six months after disposition and at the end of the second six months after disposition. Recidivism, therefore, is defined as juvenile court involvement during one year period for new offenses. "Recidivism, as measured by recontact with the juvenile court system during the one year following disposition was 35.5%" (Crotty & Meier, 1980, p. 19).

Two more evaluative studies of juvenile restitution were conducted by Hofford, and Cannon and Stanford in 1981. Hofford (1981) evaluated the community service restitution program in Charleston County, South Carolina. Over a period of two years (February, 1979 to January, 1981), a total of 301 juvenile offenders had been ordered by the court to make restitution through the program. The participants "included mostly (89%) adjudicated youths for property offenses" (Hofford, 1981, p. 8). The successful completion of restitution contracts was 78%. After a six-month followup period, Hofford (1981) reported an 18% recidivism rate for youths in the juvenile restitution program compared with a 30% rate for those on regular probation. The second study conducted by Cannon and Stanford (1981) found a 19% rearrest rate among restitution cases over a six-month time period compared with a 24% rate for nonrestitution group.

In 1982, two evaluative studies of juvenile restitution programs were reported by Hunt, Litton, and Serpas, and Binder and Shichor. Hunt, Litton, and Serpas (1982), in their Final Evaluation of the Orleans Parish Juvenile Court Juvenile Restitution Project, collected
data on 241 adjudicated youths ordered by the court to make monetary and community service restitution during a period of two years (December, 1978 through December, 1980). Among the program participants, 76% successfully completed their restitution agreements. A follow-up period of one year after the completion of contracts showed that 16% youths reoffended.

Binder and Shichor (1982) viewed the major theoretical premises of restitution program and concentrated on a description and preliminary evaluation of the community service restitution project in Orange County, California. The main objective was to evaluate the effectiveness of the program on recidivism among the program participants. Using an experimental design this evaluation found that recidivism rate was lower among the participants than that of the control group. The researchers also report "virtually 100% of the contracts between the restitution board and juveniles were completed" (Binder & Shichor, 1982, p. 50).

Wilson (1983), in an evaluation of the post-adjudication juvenile restitution program in Ventura County, California, found that 65% of the juveniles had full compliance with original restitution orders; another 12.7% of the juveniles had compliance with adjusted orders. In other words, overall, 77.7% of the offenders had successfully completed restitution agreements. This two-year followup study also revealed that 26.8% of the juveniles recidivated after the completion of restitution. Compared with this evaluation, a higher rate of successful completion was reported by Coates and Gehm (1985). In an evaluation of five Victim Offender Reconciliation Projects (78% juvenile offenders), they found
that 92% of the restitution contracts had been successfully completed.

Schneider and Schneider (1984a, 1984b, 1985) and Schneider (1986) have reported their findings from evaluations of restitution programs in four states. Successful completion rates of restitution contracts as well as recidivism rates among juvenile offenders varied from county to county. The first report from Clayton County, Georgia, revealed an 86% successful completion rate and a 46% recidivism rate three years after the juveniles were released from the restitution program. However, Schneider and Schneider (1984a) concluded "the analysis indicates that the restitution program had a positive effect on reducing recidivism even when prior offenses, age, race, school status, and sex were controlled" (p. 14).

The second evaluation conducted by Schneider and Schneider (1984b) reports findings from Dane County, Wisconsin. They indicated a clear relationship between failure to complete the restitution requirements and recidivism. Among the juveniles who failed to complete their restitution requirements, 80% reoffended within a three-year followup period, compared with 60% of those who had completed their orders. Furthermore, Schneider and Schneider (1985) reported the effectiveness of restitution as a sole sanction and as a condition of probation from their study on the juvenile restitution program in Oklahoma County, Oklahoma. The percentages for successful cases were 82% for the sole sanction group (n = 104) and 88% for the restitution and probation group (n = 116). The two-year followup beyond referral to the program revealed the levels of recidivism as 49% among the sole sanction group and 50% for the combined restitution and probation group. With regard
to the question, whether restitution is a more effective sanction than probation, the authors concluded, "the results in Oklahoma County suggest that recidivism rates are about the same for both groups and that neither type of intervention effectively alters the offense rates of juvenile delinquents" (Schneider & Schneider, 1985, p. 16).

Schneider (1986) reported two more evaluative studies of juvenile restitution programs in Boise, Idaho and Washington, DC. She focused on the impact of restitution on offender recidivism. The recidivism analysis from a 22-month followup reveals that the percentage of juveniles who committed subsequent offenses at both places was 53. Consequently, the author concludes that "the reasons for success of restitution in reducing recidivism--in those instances when it is successful--remain a matter of speculation" (Schneider, 1986, p. 550).

All these evaluative studies conducted assessing the effectiveness of restitution involving juvenile offenders tend to concentrate on two aspects of program effectiveness. First, they focus on the rate or percentage of successful completion of restitution contracts on the part of offenders; second, they measure the impact of restitution on lowering recidivism among the program participants. The figures reported are far from conclusive. The percentage of successful completion is almost 100%. In other words, we find high as well as low success percentages. Insight to high success percentage of restitution programs was provided by a comment made by Galaway (1988). He concluded, "no difficulties were reported in negotiating restitution amounts, nor in securing compliance with the negotiated agreements" (p. 5). It appears from this statement

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that the participants were highly motivated to meet the conditions of their sentences. Contrary to high percentages of successful completion, at least two evaluations have found lower success percentages. A case in point is the Orleans parish juvenile restitution program which reported only 57% success (Hunt, 1981). Also, the three restitution programs in Benton, Sherburne, and Stearns counties, Minnesota had only 66% successful completion (Beck-Zierdt, 1980).

Like the results reported on successful completions of restitution contracts, both high and low percentages have been reported regarding the reduction of recidivism. The diversity in research findings can be clearly seen when a comparison is made between the research conducted in Dane County, Wisconsin with that in Benton, Sherburne, and Stearns counties, Minnesota. The evaluation of the Dane County program (Schneider & Schneider, 1984b) reported that 60% of those who had completed their restitution contracts reoffended. Conversely, the recidivism percentage was 10.3 for those who participated in the tri-county program, Minnesota (Beck-Zierdt, 1980). Strikingly, this figure (10.3%) represents the percentage of restitution program participants reconvicted just six months after their release from the program. High recidivism percentages were also reported by Schneider (1986) as 53% and Schneider and Schneider (1984a) as 46%.

One important point is that almost all these previous studies in evaluating juvenile restitution focused on post-adjudication restitution programs. The study conducted by Davis et al. (1984) is an exception. The researchers studied pre-adjudication restitution
programs together with post-adjudication ones. However, they did not separate their findings of the pre-adjudication programs from the post-adjudication programs. As for those evaluative studies that have been conducted, the findings are conflicting; they are not conclusive. "To reach this goal, it seems necessary to have more evaluative studies examining the various programs and their effectiveness, because our knowledge is limited" (Council of Europe, 1984, p. 10). Beside this, there is a void in comparative evaluation studies on juvenile restitution programs (for instance, comparing pre-adjudication program with post-adjudication program, or comparing public program with private program).

Restitution programs (both privately operated and publicly operated) seek to provide victims with economic as well as psychological benefits. Economic benefits come from offenders making payments for ordered restitution. Psychological benefits may include reduced fear by victims, an increased sense that justice has been done, greater faith in the juvenile justice system, and related emotional and attitudinal changes. However, among the two types of programs, privately operated programs like VORP "report higher levels of full compliance with restitution orders than the publicly operated programs" (McGillis, 1986, p. 47).

A central goal of a privately sponsored and operated restitution program is the provision of full restitution to crime victims. Consequently, the program personnel tend to be especially vigorous in following up cases to insure that full restitution is paid. A case in point is the evaluation conducted by Coates and Gehm (1985). Their
evaluation of five VORP programs in Indiana and Ohio report high levels of compliance and satisfaction with those programs. Ninety-seven percent of the victims indicated that they would participate in the program if they had the choice to do it over again.

However, McGillis (1986) points out that very limited research has been conducted regarding the impact of victim-offender reconciliation programs upon offenders' recidivism rate. Privately operated and monitored programs are supposed to reduce recidivism among their participants (Zehr, 1986).

In contrast to private programs, research data on public programs "make it clear that the average offender does not fully comply with the restitution order" (McGillis, 1986, p. 47). These public programs add the responsibility of developing restitution agreements and monitoring compliance to the workload of probation officers. As McGillis (1986) points out, in most cases, specialized staff members are not assigned to coordinate restitution cases. Consequently, restitution turns out to be an aspect of the activities of probation personnel. "By the same token, however, the priority accorded to the task of restitution may be necessarily minimal" (McGillis, 1986, p. 18). Typically, probation officers have large caseloads and varied responsibilities. As a result, they have little time for added tasks. Hence, maintaining contacts with victims (to monitor offenders' compliance) may have less emphasis in their agenda. Also, efforts to stimulate offenders to complete restitution orders may not rank high among the supervisory priorities of probation officers (McGillis, 1986). The State of Wisconsin Legislative Audit Bureau (1985) contends that the success of
public restitution programs rests primarily in the hands of probation agents assigned to the programs. Maloney et al. (1982) suggest that public restitution programs have been unsuccessful because of non-empathetic and low-skilled personnel.

Miller's (1981) study of the Denver District Court Probation Department reports that offenders in his sample paid about 69% of the ordered amount of restitution. This research reveals that the average offender does not fulfill his/her restitution obligation completely. The payments were made in installments over a long period of time. In other words, the whole process of payments dragged on much too long (over a year); consequently, the issue of full compliance of restitution orders lost its priority. The victims had to be satisfied with partial payments, and the offenders got away with it. According to McGillis (1986), research needs to be done on compliance rate of restitution order and the "impact of delayed and partial payments upon the economic value of restitution" (p. 17).

The above discussion leads the present research to propose the following hypotheses:

1. There is no difference in the level of completion of restitution contracts between privately operated and publicly operated programs.

2. There is no difference in the level of recidivism between the program participants in the privately and publicly operated programs.

The sub-hypothesis is a component part of the first hypothesis; the concern is the level of completion of restitution contracts within the programs:
The level of completion of restitution contracts is not dependent upon the duration of the contracts in the two programs.

The present research compares the publicly-operated (non-VORP) pre-adjudication juvenile restitution program in Kalamazoo with the privately-operated (VORP) post-adjudication program in Elkhart. Because of increasing use of restitution in sentencing juveniles, need for more evaluative studies, and absence of comparative studies on juvenile restitution programs, the present research is significant in shedding new light on one rapidly developing arena of the American juvenile justice system. The comparison may be expected to put forward some policy implications on juvenile restitution programming in either program (VORP and non-VORP). However, before we get into the findings, the next chapter provides a discussion on the research method used in this research.
CHAPTER III

RESEARCH METHOD

This research focuses on the effectiveness of two juvenile restitution programs operated in Kalamazoo County, Michigan, and Elkhart County, Indiana. The intent of this research is to compare the effectiveness of the two programs on successful completion of restitution contracts by offenders and on offender recidivism.

Kalamazoo County is located in southwestern Michigan. The Kalamazoo program was initiated in 1984. However, no previous research was conducted to evaluate this program since its initiation. The Juvenile Probate Court, responsible for administering this program, was interested in evaluating its effectiveness on offenders. Hence, the Kalamazoo program was selected for this research. The researcher secured permission from the court administrator to gather data on juvenile restitution program participants.

The second program selected for this research was the Victim Offender Reconciliation Project administered by the Center for Community Justice in Elkhart County, Indiana. Elkhart County is situated in northeastern Indiana. This program was established in 1978. Since then, one evaluation has been conducted in 1985 (Coates & Gehm, 1985) for the years 1983 and 1984. Because this evaluation was done five years ago, the administrator of the Center for Community Justice and the Juvenile Court referee as well were interested in a recent evaluation of the juvenile restitution program. Another reason for
selecting Elkhart County was its proximity to Kalamazoo. Elkhart County is about fifty-six miles from Kalamazoo. Both Kalamazoo and Elkhart are midwestern counties in the country.

Beside the location of these two programs, there were other reasons for their selection. The Kalamazoo program is a publicly operated (by the Juvenile Probate Court) pre-adjudication project for juvenile offenders. In comparison, the Elkhart program is a privately operated (by the Center for Community Justice) post-adjudication initiative. Also, in the Kalamazoo restitution program, the offender never meets his/her victims for restitution settlement; the restitution contract is drawn between the offender and the Intake Department of the Juvenile Probate Court. Compared with this situation, in the Elkhart project, the offender meets his/her victim face-to-face through the mediation of staff from the Center for Community Justice. The restitution contract is drawn between the offender and the victim, not between the offender and the Juvenile Court. The Court is not responsible for administering and monitoring the restitution program; adjudicated juvenile offenders are referred by the Court to the Center for Community Justice. The point is, administration and monitoring of these two restitution programs are different from each other.

Data Collection

The data collection for this research involved access to individual files on the program participants at both places. Hence, the researcher secured approval from the Human Subjects Institutional...
Review Board at Western Michigan University prior to data collection. Due to the sensitivity of the subject matter, confidentiality of the program participants was maintained.

The data used in this research were collected from the Juvenile Probate Court files (for the Kalamazoo Program) and the Center for Community Justice files (for the Elkhart Program) on the participants of the two juvenile restitution programs.

For the present research, the data were gathered for restitution contracts from the beginning of 1987 to the end of 1988. Afterwards, all the program participants were followed through the end of 1989 to gather information on their recidivism during restitution programs and subsequent to their release from the programs. This information was collected from written official documents of the Elkhart County Police Department, Elkhart County Sheriff’s Department, and computer records of the Kalamazoo County Juvenile Probate Court. Also, among the different types of restitution contracts used in the United States, this study concentrated only on two types—financial repayment to the victim and community service for both the VORP and non-VORP projects. Both the projects used only these two types of restitution.

Samples

Overall, the data were collected on two samples—Kalamazoo and Elkhart. For the Kalamazoo Program, information was collected on 109 individuals who were ordered to make restitution during the years 1987 and 1988. These 109 individuals represent the total population of juveniles who participated in the Kalamazoo restitution...
program during these two years. Data were also collected on 121 juvenile participants in Elkhart for 1987 and 1988. The Elkhart data represent a 50% sample of all program participants during 1987 and 1988. In other words, the Elkhart project had 242 participants collectively for these two years. Table 1 presents the distribution of the participants in the two programs.

Table 1

<table>
<thead>
<tr>
<th>County</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kalamazoo</td>
<td>96 (88%)</td>
<td>13 (12%)</td>
<td>109 (100%)</td>
</tr>
<tr>
<td>Elkhart</td>
<td>104 (86%)</td>
<td>17 (14%)</td>
<td>121 (100%)</td>
</tr>
</tbody>
</table>

Referring to Table 1, it is apparent that the distribution of male and female participants in the two programs was close. For instance, the Kalamazoo program had 88% male and 12% female offenders. Compared with these figures, the Elkhart sample had 86% male and 14% female offenders. The individuals selected in this research form reasonably representative samples of juvenile restitution program participants in the two midwestern counties. An instrument was used to collect data on the two samples. It is presented in Appendix B.

Variables and Analysis

Given below are the types of variables investigated in this research together with a description of corresponding measurement techniques.
Dependent Variable

For both types of programs (VORP and non-VORP), the dependent variable was the outcome of restitution programs. The outcome of programs was measured in terms of two components as successful completion of restitution contracts by the participants and offender recidivism. For the first component, successful completion of restitution contracts, information was collected as success (coded 1) and failure (coded 0) in completing of restitution contracts. The data on successful completion of restitution contracts and failure in completing the contracts were collected from written official documents (individual offender files) at both places.

The second component of the dependent variable, outcome, was recidivism among the program participants. Recidivism refers to the number of complaints against the participants to the local law enforcement agencies both during the restitution programs and subsequent to their release from the programs. Information on recidivism was collected for the Elkhart program participants from written official documents of the Elkhart City Police Department as well as the Elkhart County Sheriff’s Department. In Kalamazoo, the information was gathered through computer search at the Juvenile Probate Court. Complaints against the participants from the Kalamazoo City Police Department and the Kalamazoo County Sheriff’s Department as well are sent to the Court and they keep this information in computer records. Both the items-number of offenses during restitution and number of offenses subsequent to restitution—were open-ended in the data collection instrument. For the number of offenses, the range was one to six.
Independent Variables

The following items in the data collection instrument were used as independent variables--race, sex, age, grade in school, type of damage incurred through offense, parental status, number of days in the restitution program, restitution amount paid, community work hours done, and prior criminal record of the offenders. The information on all independent variables was collected from written official documents of both the programs.

Race

The race/ethnic groups of the juveniles were noted as whites (coded 1), blacks (coded 2), and Hispanics (coded 3). However, because Hispanics represent an ethnic group and the number was small, the data for this variable were recorded as (1) whites and (2) non-whites (blacks and Hispanics together).

Sex

The gender of the juvenile participants in both the programs was noted as male (coded 1) and female (coded 2).

Age

Information was collected on the date of birth (open-ended item in the instrument) of the participants. The age of the juvenile was counted as the number of years from his/her date of birth to the time
he/she committed the offense. The difference of six months was rounded off to get the number of years as age.

**Grade in School**

This variable was also an open-ended item in the instrument. It refers to the grade an offender was attending in school. The grade was noted as it was recorded in the restitution file of an individual offender (at the beginning of the participant’s restitution program). However, information was not available on school grades of three juveniles in the Kalamazoo program. Consequently, they were coded as missing.

**Type of Damage Incurred Through Offense**

This variable refers to the property offenses for which the juveniles were ordered to restitution. Specifically, it refers to the types of damages (in exact dollar amount) caused by the offenses. The types were categorized as damages in the amount of more than $100 (coded 1) and damages less than $100 (coded 2). This information was noted as they were recorded in the official documents.

**Parental Status**

Data were collected on the parental status of the program participants. Parental status refers to the people with whom the participants were living during their participation in the restitution programs. This variable was classified into eight categories in the data collection instrument—both natural parents (coded 1), single
natural father (coded 2), single natural mother (coded 3), mother and step-father (coded 4), father and step-mother (coded 5), relatives (coded 6), single step-parent (coded 7), and foster parent (coded 8). However, the data on parental status were recoded into two categories in the analysis: (1) natural parents, and (2) others (including single natural father, single natural mother, mother and step-father, father and step-mother, relatives, single step-parent, and foster parent).

**Number of Days in Restitution**

Data were collected for this variable based on the date the participants were assigned to the restitution programs and the date they were discharged from the programs. The number of days between these two dates were counted to compute the number of days the participants were involved in the restitution programs. The range of the number of days was between 14 and 543. This range was divided into three categories for both the programs: (1) 14 through 180 days (coded 1), (2) 181 through 360 days (coded 2), and (3) 361 through 543 days (coded 3).

**Restitution Amount Paid**

Restitution amount paid by the program participants was an open-ended item in the instrument. The dollar amounts paid by the offenders were noted as they were recorded in the restitution files of the offenders. This dollar amount ranged from $10 to $5000. The range of monetary payments was divided into four categories for both the samples--$10 to $350 (coded 1, low), $351 to $700 (coded 2, medium),
$701 to $1050 (coded 3, high), and $1051 to $5000 (coded 4, very high).

Community Work Hours Done

This variable refers to community service restitution completed by the juvenile offenders. Specifically, it focuses on the number of community work hours done by the participants, as noted in their restitution files. The range of work hours was 5 to 80 during the restitution period. This range was classified into these four categories—5 to 20 hours (coded 1), 21 to 40 hours (coded 2), 41 to 60 hours (coded 3) and 61 to 80 hours (coded 4).

Prior Criminal Record of the Offender

This variable refers to criminal records of the program participants prior to their involvement in the restitution programs. Criminal records mean the number of police contacts. That is, prior criminal record of the offender refers to the number of times the juvenile had an official contact with the police excluding the one for which he/she had restitution agreement.

Analysis

Analysis for descriptive purposes was based on measures of central tendency. Cross-tabulations were used to identify the distribution of frequencies and percentages of the variables used for the two samples. Means of all the variables were calculated and Pearson Product correlations were used to find out relationships among the variables. Also, two sample (involving two means from two samples)
t-tests and chi-square test for independence of two variables were used to test the hypotheses.

Furthermore, discriminant analysis was used to calculate the effects of a collection of independent variables on a dependent variable—outcome. Linear combinations of independent variables that best distinguish between cases in groups of the dependent variable are found through discriminant analysis. Discriminant analysis "statistically distinguishes between two or more groups of cases" (Nie, Hull, Jenkins, Steinbrenner, & Bent, 1975, p. 435) of the dependent variable. The mathematical objective of "discriminant analysis is to linearly combine the discriminating variables in some fashion so that the groups or categories of the dependent variable are forced to be statistically distinct as possible" (Nie et al. 1975, p. 435). The independent variables were used as discriminating variables at the analysis stage. A two-group (Elkhart and Kalamazoo) discriminant analysis was used for data analysis.
CHAPTER IV

RESULTS

This chapter provides the results obtained from the analysis of data and a discussion relative to the testing of hypotheses presented in Chapter II. The analysis has been developed through cross-tabulations, Pearson product correlations, multiple regression, discriminant analysis, chi-square test of independence, and two sample t-tests. The first one, cross-tabulation, was used to determine the distribution of frequencies and percentages of all the variables used in this study. The descriptive data as a result of cross-tabulations for Elkhart and Kalamazoo program participants are presented below.

Descriptive Characteristics

As mentioned in Chapter III, the dependent variable, outcome of restitution programs, was measured in terms of two components: (1) completion of restitution contracts by offenders and (2) offender recidivism. The first one, completion of restitution contracts, refers to both successful and unsuccessful cases in the Elkhart and the Kalamazoo programs. Table 2 reports the distribution of successful and unsuccessful cases in the two programs.
In the Elkhart program, 92 contracts (76%) were successfully completed and the remaining 29 contracts (24%) were failures. In comparison, 85 contracts (78%) in the Kalamazoo program were successful, while the number of failure cases was 24 (22%). Overall, in the two programs together, 77% of the cases were successfully completed and 23% of the cases were unsuccessful. The number of failure cases in both the programs turned out to be significant in testing the first hypothesis that there was no significant difference in the level of completion of restitution contracts between the privately operated VORP and the publicly operated Kalamazoo program. This is discussed in the analysis section of this chapter.

As for failure cases, in both the programs, the following reasons were noted: (1) offender did not comply; (2) offender absconded; and, for VORP, (3) victims were unwilling to participate in the VORP. All these three reasons were responsible for failure cases in the Elkhart program. For instance, out of 29 unsuccessful cases in Elkhart, in 21 cases (72.4%), the offender did not comply with restitution requirements, and in one case (3.4%), the offender absconded. Since the
victims were unwilling to participate in 7 cases (24.1%), the number of cases used to make comparison with Kalamazoo was adjusted to 114. That means, in 22 cases the offenders actually failed to complete their restitution. In other words, in the Elkhart program, out of 114 (100%) cases, 22 (19.4%) cases had failure. Compared to the figures of failure cases in Elkhart, all 24 failure cases in the Kalamazoo program had one reason in common--offender did not comply with restitution requirements. That is, the Kalamazoo program had 24 (22%) failure cases out of 109 (100%).

The second component of the dependent variable, outcome, was measured as recidivism among the program participants. Recidivism was measured in terms of the number of offenses committed by the participants during their restitution programs and subsequent to their release from the programs. The number of offenses committed by the participants in the two programs, during as well as subsequent to restitution, was significant in testing the third hypothesis; the results from hypothesis testing are presented and discussed in the analysis section of this chapter.

Regarding offenses during restitution, in the Elkhart program, 11 juveniles committed one offense each. In comparison, among the participants of the Kalamazoo program, 7 juveniles committed one offense each and two others committed two offenses each during their restitution programs. The means of offenses during restitution committed by the participants of the Elkhart and the Kalamazoo programs were .0910 and .0861 respectively. The difference between the two means was not found to be significant in the hypothesis
testing for recidivism.

Table 3 reports the number of offenses subsequent to restitution.

<table>
<thead>
<tr>
<th>County</th>
<th>1 Offense</th>
<th>2 Offenses</th>
<th>3 Offenses</th>
<th>4 Offenses</th>
<th>5 Offenses</th>
<th>6 Offenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>2 (8.8%)</td>
<td>7 (30.4%)</td>
<td>9 (39.0%)</td>
<td>3 (13.0%)</td>
<td>1 (4.4%)</td>
<td>1 (4.4%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>9 (39.0%)</td>
<td>5 (21.8%)</td>
<td>3 (13.0%)</td>
<td>5 (21.8%)</td>
<td>1 (4.4%)</td>
<td></td>
</tr>
</tbody>
</table>

This number ranged from one to six offenses. It is evident from the table that in the Elkhart program, 9 participants committed three offenses each after they were released from their restitution. Seven other juveniles committed two offenses each. Only one offender committed six offenses subsequent to restitution. In the Kalamazoo program, the highest frequency (9) was found in the one-offense category. The maximum number of offenses (5) was committed by one individual. No participant in the Kalamazoo program committed six offenses subsequent to release from restitution. The means of offenses subsequent to restitution were 2.86 for Elkhart and 2.77 for Kalamazoo. The difference between these two means was found not significant in the t-test computed to test the hypothesis on offender recidivism.

The following three hypotheses were tested in the analysis. The
first one was that there was no significant difference in the level of compliance of restitution requirements between the privately operated VORP and the publicly operated Kalamazoo program. The second one was that completion of restitution was not dependent upon the duration of restitution. Finally, the third was there was no significant difference in recidivism between the participants of the two programs.

The following independent variables were used in the analysis of data: race, sex, age, grade in school, type of damage (in dollar amount), parental status, duration of restitution, restitution amount paid by the participants, community work hours done by the participants, and their prior criminal records. The reason for using all these independent variables was to determine whether they had any significant effects on the two components of the dependent variable, outcome—completion of restitution and offender recidivism.

Race of the offender was one of the independent variables used in the analysis. The reason for using this variable was to find out whether race of the offender was significant toward completion of restitution by the offender as well as the offender's recidivism. The frequency distribution of race is presented in Table 4.
Table 4

Distribution of Race

<table>
<thead>
<tr>
<th>County</th>
<th>Whites</th>
<th>Non-Whites</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>94 (84.2%)</td>
<td>18 (15.8%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>80 (73.4%)</td>
<td>29 (26.6%)</td>
<td>109 (100%)</td>
</tr>
<tr>
<td>Total</td>
<td>176 (78.9%)</td>
<td>47 (21.1%)</td>
<td>223 (100%)</td>
</tr>
</tbody>
</table>

The number of white participants was higher in Elkhart (96; 84.2%) than in Kalamazoo (80; 73.4%). Conversely, the number of non-whites was higher in Kalamazoo (29; 26.6%) than in Elkhart (18; 15.8%). In both the programs together, among all the participants, 78.9% were white and 21.1% were non-white.

Age of the offender was another independent variable in the analysis. Age was used to determine whether this variable had significant effect on the dependent variable outcome of restitution. The range of this variable in both the programs was from 9 to 17 years. The number of participants in each age-category and their percentages are reported in Table 5.
Among the program participants, the highest frequency was found in the age 16 category. In the Elkhart program, 35 (31%) juveniles were 16 years old, whereas the number of participants in this age category in the Kalamazoo program was 28 (25%). The majority of the juveniles were between 11 and 17 years of age. Only 9 juveniles in Elkhart and 4 in Kalamazoo were less than 11 years old. The mean age of the Elkhart program participants was 14.5. In comparison, among the Kalamazoo program participants, the mean age was 14.6. The median of age among the participants in both the programs was 15 years.

The participant's grade in school was used as an independent variable to determine whether this variable had any significant effect on the participant's completion of restitution and his/her recidivism. The distribution of the participants' grades is reported in Table 6.
Table 6

Distribution of the Participants' Grades in School

<table>
<thead>
<tr>
<th>Grades</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>9</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>10</td>
<td>20</td>
<td>24</td>
<td>27</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>1</td>
<td>3</td>
<td>10</td>
<td>16</td>
<td>14</td>
<td>23</td>
<td>24</td>
<td>11</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

It is apparent from Table 6 that the range of grades in school was from 3 to 12. The highest proportion among the Elkhart participants was found in grade 11 (27; 24%) and the lowest one in grade 5 (3; 2%) and grade 6 (3; 2%). Among the Kalamazoo participants, the highest frequency was found in grade 10 (24; 22%) and the lowest one in grade 3 (1; 1%) and grade 5 (1; 1%). In the grade 12 category, the Elkhart project had 14 (13%) juveniles and the Kalamazoo program had 3 (3%).

The next independent variable, type of damage (in dollar amount) incurred through crime, was dichotomized as (1) damages more than $100 and (2) damages less than $100. All these damages to victims were caused by property offenses committed by the participants in the two programs. The reason for using type of damage as an independent variable was to identify if this variable had any significant effect on the offenders' completion of restitution as well as recidivism. Table 7 presents the frequencies and percentages of the types of damages.

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Table 7
Distribution of Types of Damages

<table>
<thead>
<tr>
<th>County</th>
<th>Damages more than $100</th>
<th>Damages less than $100</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>74 (64.9%)</td>
<td>40 (35.1%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>56 (51.4%)</td>
<td>53 (48.6%)</td>
<td>109 (100%)</td>
</tr>
<tr>
<td>Total</td>
<td>130 (58.2%)</td>
<td>93 (41.8%)</td>
<td>223 (100%)</td>
</tr>
</tbody>
</table>

As evident from the table, in both the programs, the majority of the juveniles were assigned to restitution for property damages amounting more than $100. For this category, the frequencies in the two programs were 74 (64.9%) for Elkhart and 56 (51.4%) for Kalamazoo. As for the second category, damages less than $100, the frequencies were 40 (35.1%) for Elkhart and 53 (48.6%) for Kalamazoo. The two programs together had 133 (57.8%) cases where damages were more than $100 and 97 (42.2%) cases involving damages less than $100.

Table 8 presents the distribution of parental status of the participants in the two programs.

Table 8
Parental Status of the Participants

<table>
<thead>
<tr>
<th>County</th>
<th>Natural Parents</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>20 (17.5%)</td>
<td>94 (82.5%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>38 (34.8%)</td>
<td>71 (65.2%)</td>
<td>109 (100%)</td>
</tr>
</tbody>
</table>
As reported by the table, 20 juveniles (17.5%) in the Elkhart program lived with natural parents during their participation in restitution. The remaining 94 juveniles (82.5%) in this program lived with people other than natural parents. In contrast, 38 juveniles (34.8%) in the Kalamazoo program lived with natural parents and the remaining 71 participants (65.2%) lived with others (not natural parents).

Table 9 presents the distribution of duration of restitution programs in the two counties. In other words, this table provides the distribution of the number of days the participants spent in their restitution programs. The range of the days was from 14 to 541 days in the two programs. The number of days was classified into three categories, discussed in the previous chapter. This classification was made to divide the long range of the number of days into three categories, each having 180 days.

<table>
<thead>
<tr>
<th>County</th>
<th>14 to 180 days</th>
<th>181 to 360 days</th>
<th>361 to 541 days</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>85 (74.5%)</td>
<td>25 (22.1%)</td>
<td>4 (3.5%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>87 (79.8%)</td>
<td>14 (12.8%)</td>
<td>8 (7.4%)</td>
<td>109 (100%)</td>
</tr>
</tbody>
</table>

It is apparent from Table 9 that the majority of the participants in both the programs spent between 14 to 180 days for restitution contracts. In the Elkhart program, 85 (74.5%) juveniles spent days in restitution within this category. In the second category, 181 to 360
days, the Elkhart program had 25 (22%) juveniles. For the remaining 4 (3.5%) juveniles in this program, the duration of restitution was between 361 to 541 days. Compared to these figures, in the Kalamazoo program, 87 (79.8%) juveniles were in restitution between 14 to 180 days; 14 (12.8%) participants spent between 181 to 360 days. For the remaining 8 (7.4%) participants, the range was from 361 to 541 days.

Restitution amount paid (in dollars) by the offenders was included as one of the independent variables in the analysis. This dollar amount ranged from $10 to $5000. The range of monetary payments by the participants is presented in Table 10.

<table>
<thead>
<tr>
<th>County</th>
<th>$10 to $350</th>
<th>$351 to $700</th>
<th>$700 to $1050</th>
<th>$1051 to $5000</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>75 (91%)</td>
<td>6 (8%)</td>
<td></td>
<td>1 (1%)</td>
<td>82 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>67 (91%)</td>
<td>6 (7%)</td>
<td>1 (1%)</td>
<td>1 (1%)</td>
<td>75 (100%)</td>
</tr>
</tbody>
</table>

As reported by Table 10, 82 juveniles out of 121 made monetary payments to their victims in the Elkhart program. In the Kalamazoo program, 75 out of 109 participants did the same. In both programs, 91% of the monetary payments ranged from $10 to $350. The frequencies for this range was 75 in Elkhart and 67 in Kalamazoo. In each of the programs, 6 juveniles made monetary payments ranging from $351 to $700. Only one participant in the Kalamazoo program paid an amount ranging from $701 to $1050. The payments of the remaining 1% of the
participants in both programs were between $1051 and $5000.

The means of restitution amount paid by the participants were $122.10 for Elkhart and $142.82 for Kalamazoo. The medians of this paid amount in the two programs were $57.00 for Elkhart and $50.00 for Kalamazoo. In the analysis of data, restitution amount paid was found to have a positive correlation with completion of restitution ($r = .27$) at $p = .001$. Additionally, the discriminant analysis used to test the first hypothesis indicated that restitution amount paid by the participants had significant effect at .05 level on completion of restitution.

Table 11 presents the ranges of community work hours required and completed by the participants in the two programs. It is evident from the table that only 10 juveniles out of 18 in the Elkhart program completed their community work hour requirements. As for those who failed to complete their requirement, the work hours ranged from 61 to 80. Within the same range, only 1 juvenile fulfilled the needed hours. Other juveniles (9) who were assigned to community work in Elkhart completed their contracts. In the Kalamazoo program, overall, 43 juveniles were designated to complete community work hour requirements. Among these 43 program participants, only 37 juveniles were reported to complete their contracts. As for the failure cases, the range of work hours were: (a) 21 to 40 hours, (b) 41 to 60 hours, and (c) 61 to 80 hours; 2 juveniles in each of these ranges failed to complete their requirements. A comparison of the work hour requirements for the participants in the two programs reveals that in Elkhart 9 (50%) out of 18 were required to complete 61 to 80 hours, whereas in Kalamazoo 26
(61%) out of 43 were assigned to 5 to 20 hours of community work.

Table 11
Community Work Hours Required and Completed By the Participants

<table>
<thead>
<tr>
<th>Range of Work Hours Required</th>
<th>County</th>
<th>5 to 20 hours</th>
<th>21 to 40 hours</th>
<th>41 to 60 hours</th>
<th>61 to 80 hours</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>5 (28%)</td>
<td>4 (22%)</td>
<td>9 (50%)</td>
<td>18 (100%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>26 (61%)</td>
<td>10 (23%)</td>
<td>4 (9%)</td>
<td>3 (7%)</td>
<td>43 (100%)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Range of Work Hours Completed</th>
<th>County</th>
<th>5 to 20 hours</th>
<th>21 to 40 hours</th>
<th>41 to 60 hours</th>
<th>61 to 80 hours</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>5 (50%)</td>
<td>4 (40%)</td>
<td>1 (10%)</td>
<td>10 (100%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>26 (70%)</td>
<td>8 (21%)</td>
<td>2 (6%)</td>
<td>1 (3%)</td>
<td>37 (100%)</td>
<td></td>
</tr>
</tbody>
</table>

The means of community work hours done by the participants were 2.21 for Elkhart and 7.19 for Kalamazoo. The discriminant analysis (discussed in the analysis section of this chapter) used to test the first hypothesis identified that community work hours done by the participants had a significant effect at the .05 level on one component of the dependent variable—completion of restitution.

The last independent variable used in the analysis was prior offense records of the participants in the two programs. Information on this variable was dichotomized into two types as (1) yes and (2) no. Table 12 reports the distribution of prior offense records among the
participants of the two programs.

Table 12
Prior Offense of the Participants

<table>
<thead>
<tr>
<th>County</th>
<th>Yes</th>
<th>No</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>64 (56.1%)</td>
<td>50 (43.9%)</td>
<td>114 (100%)</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>53 (48.6%)</td>
<td>56 (51.4%)</td>
<td>109 (100%)</td>
</tr>
<tr>
<td>Total</td>
<td>117 (52.5%)</td>
<td>106 (47.5%)</td>
<td>223 (100%)</td>
</tr>
</tbody>
</table>

As shown by Table 12, 56.1% of the Elkhart program participants had prior offense records. In comparison, 48.6% of the Kalamazoo program participants had offenses prior to those for which they were assigned to restitution. Conversely, 43.9% juveniles in Elkhart and 51.4% juveniles in Kalamazoo had no prior offense records. Overall, the two programs together, had 117 (52.5%) participants with priors and 106 (47.5%) with no prior.

A correlation analysis computed for both programs (discussed in the analysis section) indicated that prior offenses of the participants had significant correlation with both the components of the dependent variable, outcome of restitution. The correlation between prior offense and completion of restitution was .19 (significant at p = .001) and the correlation between prior offense and offense during restitution was .17 (significant at p = .01). Also, prior offense had significant effect at .05 level on failure to complete restitution contracts as well as offender recidivism.
Analysis

At the initial stage of the analysis of data, cross-tabulations (and significances) and correlation analysis were computed for all the independent variables--parental status, race, sex, age, grade in school, type of damage, duration of restitution, restitution amount paid, community work hours done, and prior offense record of the participant and the two components of the dependent variable--completion of restitution contracts and recidivism. The reason for these computations was to find out whether the independent variables had any significant effects on completion of restitution and recidivism on the part of the participants.

Completion of Restitution Contracts and Parental Status

Cross-tabulations and significances were computed on parental status as independent variable and completion of restitution as dependent variable for both the counties. As mentioned earlier in this chapter, both the variables were dichotomized. Parental status was classified into two categories: (1) natural parents, and (2) others. Also, completion of restitution was divided into (1) successful and (2) failure cases. The contention of previous researchers was that if the participants lived with parents, they were more likely to complete their restitution contracts (McGillis, 1986). Put another way, according to previous studies, parental status had been significant toward completion of restitution contracts on behalf of the juvenile participants. Consequently, the reason for computing cross-tabulations and significances on those two variables was to find out
whether parental status of the participants had any significance toward their completion of restitution.

Table 13 presents the cross-tabulation and significance of the two variables for the Elkhart program.

Table 13
Cross-Tabulations and Significance of Parental Status and Completion of Restitution, Elkhart County

<table>
<thead>
<tr>
<th>Completion of Restitution</th>
<th>Parental Status</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Natural Parents</td>
<td>Others</td>
</tr>
<tr>
<td>Success</td>
<td>22</td>
<td>70</td>
</tr>
<tr>
<td>Failure</td>
<td>2</td>
<td>20</td>
</tr>
</tbody>
</table>

| Column Total             | 24 (27%)        | 90 (73%)  | 114 (100%) |

Chi Sq. Value | DF | Significance
Pearson       | 2.34 | 1 | .19

As evident from Table 13, in the Elkhart Program, 22 participants living with natural parents and the remaining 70 living with others were successful in completing restitution. The frequencies for failure cases were: 2 living with natural parents and 20 living with others. The computed significance (.19) was larger than \( p = .05 \). Consequently, it was concluded that parental status of the participants in the Elkhart program was not significant toward their completion of restitution.

A similar conclusion was made from the cross-tabulation and significance computed on these two variables for the Kalamazoo program. Table 14 reports the computed cross-tabulation and significance.
As shown by the table, in the Kalamazoo program, 34 juveniles living with natural parents and 51 juveniles living with others were successful in completing their restitution requirements. Among the remaining 24 participants who failed to complete restitution, 4 lived with natural parents and 20 lived with others. The computed significance was .11 (p = .05). This high value of significance indicated that parental status of the Kalamazoo program participants was not significant toward their completion of restitution at p = .05.

As reported by Tables 13 and 14, parental status of the participants was not found to be significant (at .05) toward completion of restitution for both the programs. Consequently, parental status of the juveniles was not used as a variable in the later analyses.

### Completion of Restitution, Recidivism, and Other Independent Variables

A correlation analysis was computed for the following independent variables:

<table>
<thead>
<tr>
<th>Completion of Restitution</th>
<th>Parental Status</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Natural Parents</td>
<td>Others</td>
</tr>
<tr>
<td>Success</td>
<td>34</td>
<td>51</td>
</tr>
<tr>
<td>Failure</td>
<td>4</td>
<td>20</td>
</tr>
<tr>
<td>Column Total</td>
<td>38 (35%)</td>
<td>71 (65%)</td>
</tr>
</tbody>
</table>

Chi Sq. Value DF Significance
---
Pearson 4.46 1 .11
variables--race, sex, age, grade in school, type of damage, number of days in restitution, restitution amount paid, community work hours done, and prior offense record of the participant, and the two components of the dependent variable--completion of restitution contracts and recidivism. Recidivism was measured in terms of recontacts with law enforcement agencies after the offenders' assignment to restitution. In this procedure, two variables were included at a time to identify their relationship. Two variables are related if knowing the value of one variable tells us something about the value of the other variable. A correlation between two variables does not mean that one causes the other. The interest of using this procedure is in linear relationship. The Pearson correlation coefficient measures whether there is a linear relationship between two variables. If there is a relationship, the procedure measures the strength of relationship and indicates whether the relationship is significant at $p = .01$ or $p = .001$ using a two-tailed significance probability. The reason for using the two-tailed probability is, the correlation procedure indicates whether a pair of variables is positively or negatively correlated. The values of Pearson correlation coefficients range from -1 to +1, with a value of 0 indicating no linear relationship. Table 15 reports the coefficients of correlations computed for the Elkhart program. The coefficients of correlations computed for the Kalamazoo program are presented in Table 16.

Inspection of the coefficients of correlations (the values of r) in Tables 15 and 16 indicates that there were very little differences between the coefficients computed for the two programs. In other
<table>
<thead>
<tr>
<th></th>
<th>Race</th>
<th>Sex</th>
<th>Age</th>
<th>Grade in School</th>
<th>Type of Damage</th>
<th>Days in Restitution</th>
<th>Restitution Amount Paid</th>
<th>Community Work Done</th>
<th>Prior Offense During Restitution</th>
<th>Offense Subsequent Restitution</th>
<th>Completion of Restitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Sex</td>
<td>-0.03</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grade in School</td>
<td>-0.21</td>
<td>0.05</td>
<td>0.79</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Type of Damage</td>
<td>0.02</td>
<td>0.03</td>
<td>0.15</td>
<td>0.07</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days in Restitution</td>
<td>0.04</td>
<td>0.01</td>
<td>0.02</td>
<td>0.01</td>
<td>0.11</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restitution Amount</td>
<td>0.04</td>
<td>0.07</td>
<td>0.12</td>
<td>0.15</td>
<td>-0.07</td>
<td>-0.01</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Work Done</td>
<td>0.07</td>
<td>0.03</td>
<td>0.01</td>
<td>0.01</td>
<td>-0.02</td>
<td>0.38</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior Offense</td>
<td>0.10</td>
<td>0.02</td>
<td>0.14</td>
<td>0.01</td>
<td>0.02</td>
<td>0.10</td>
<td>0.09</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offense During</td>
<td>0.03</td>
<td>0.02</td>
<td>0.08</td>
<td>0.03</td>
<td>0.01</td>
<td>-0.01</td>
<td>-0.11</td>
<td>0.17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restitution</td>
<td>0.15</td>
<td>0.10</td>
<td>0.13</td>
<td>0.09</td>
<td>0.10</td>
<td>-0.13</td>
<td>0.06</td>
<td>0.01</td>
<td>0.08</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>Completion of Restitution</td>
<td>0.10</td>
<td>0.02</td>
<td>0.06</td>
<td>0.16</td>
<td>0.11</td>
<td>-0.02</td>
<td>0.27</td>
<td>0.02</td>
<td>-0.19**</td>
<td>-0.46**</td>
<td>0.02</td>
</tr>
</tbody>
</table>

* Significant level $p = .01$

** Significant level $p = .001$
Table 16
Correlation Coefficients (Kalamazoo)

<table>
<thead>
<tr>
<th></th>
<th>Race</th>
<th>Sex</th>
<th>Age</th>
<th>Grade in School</th>
<th>Type of Damage</th>
<th>Days in Restitution</th>
<th>Restitution Amount</th>
<th>Community Work Done</th>
<th>Prior Offense</th>
<th>Offense During Restitution</th>
<th>Offense Subsequent Restitution</th>
<th>Completion of Restitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sex</td>
<td></td>
<td>.02</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td></td>
<td>.04</td>
<td>.07</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grade in School</td>
<td>-.19</td>
<td>.05</td>
<td>.77</td>
<td>1.00</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of Damage</td>
<td>.03</td>
<td>.02</td>
<td>.14</td>
<td>.07</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Days in Restitution</td>
<td>.03</td>
<td>.02</td>
<td>.03</td>
<td>.01</td>
<td>.10</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restitution Amount</td>
<td></td>
<td>.04</td>
<td>.08</td>
<td>.11</td>
<td>.15</td>
<td>.06</td>
<td>-.02</td>
<td>.02</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Work Done</td>
<td>.06</td>
<td>.01</td>
<td>.02</td>
<td>.11</td>
<td>-.02</td>
<td>-.01</td>
<td>.41</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior Offense</td>
<td>.11</td>
<td>.01</td>
<td>.14</td>
<td>.01</td>
<td>.03</td>
<td>.02</td>
<td>-.11</td>
<td>-.08</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offense During Restitution</td>
<td>.03</td>
<td>.03</td>
<td>.06</td>
<td>.04</td>
<td>.03</td>
<td>.08</td>
<td>-.03</td>
<td>-.09</td>
<td>.15*</td>
<td>1.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offense Subsequent Restitution</td>
<td>.13</td>
<td>.09</td>
<td>.13</td>
<td>.07</td>
<td>.11</td>
<td>.03</td>
<td>-.15</td>
<td>-.04</td>
<td>.03</td>
<td>.07</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>Completion of Restitution</td>
<td>.11</td>
<td>.02</td>
<td>.07</td>
<td>.13</td>
<td>.09</td>
<td>-.03</td>
<td>.29</td>
<td>.04</td>
<td>-.17**</td>
<td>-.41**</td>
<td>.04</td>
<td>1.00</td>
</tr>
</tbody>
</table>

* Significant level p = .01
** Significant level p = .001
words, the computed coefficients obtained from the analysis of data from the two programs were quite close. However, these two tables revealed some significant correlations between independent variables and the dependent variable, outcome of restitution. The relationships between variables which were found significant at $p = .01$ and $p = .001$ are presented in Table 17.

Table 17

<table>
<thead>
<tr>
<th>Variables</th>
<th>$r_{\text{Elkhart}}$</th>
<th>$r_{\text{Kalamazoo}}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior offense and offense during restitution</td>
<td>.17*</td>
<td>.15*</td>
</tr>
<tr>
<td>Prior offense and completion of restitution</td>
<td>-.19**</td>
<td>-.17**</td>
</tr>
<tr>
<td>Offense during restitution and completion of restitution</td>
<td>-.46**</td>
<td>-.41**</td>
</tr>
</tbody>
</table>

* $p = .01$
** $p = .001$

As evident from Table 17, prior offense of the offender and offense committed during restitution by the offender were related positively ($r = .17$ for Elkhart and $r = .15$ for Kalamazoo) and significant at $p = .01$. These coefficients indicate that in both programs, those participants who had prior offenses, had committed offenses during restitution. Table 17 also indicates that prior offense of the offender and completion of restitution were negatively related ($r = -.19$ for Elkhart and $r = -.17$ for Kalamazoo) and significant at $p = .001$. These coefficients suggest that in both programs,
those participants who had prior offenses, were less likely to complete their restitution requirements. Offense during restitution and completion of restitution were also negatively correlated. The coefficients of this correlation were -.46 for Elkhart and -.41 for Kalamazoo and both of them were significant at $p = .001$. This means that when participants committed offenses during their restitution periods, they failed to complete their restitution contracts.

However, a correlation coefficient provides us with a measure of linear association between two variables. It does not measure the relationship between a single dependent variable and a number of independent variables. To find out such relationships, multiple regression analysis of the variables was computed. This analysis was conducted at three stages. The first one included all the independent variables and completion of restitution as the dependent variable. In the other two stages, the dependent variables were different. Total number of offenses committed by the offenders during restitution was used as the dependent variable in the second stage and total number of offenses subsequent to restitution was the dependent variable at the third stage.

**Completion of Restitution**

The regression coefficients obtained at the first stage using completion of restitution as the dependent variable, are reported in Table 18.
Table 18
Regression Coefficients of Independent Variables Toward Completion of Restitution

<table>
<thead>
<tr>
<th>Independent variables</th>
<th>Elkhart</th>
<th>Kalamazoo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>.0622</td>
<td>.0598</td>
</tr>
<tr>
<td>Sex</td>
<td>.0735</td>
<td>.0705</td>
</tr>
<tr>
<td>Age</td>
<td>.0573</td>
<td>.0569</td>
</tr>
<tr>
<td>Grade in school</td>
<td>.1260</td>
<td>.1289</td>
</tr>
<tr>
<td>Type of damage</td>
<td>.0947</td>
<td>.0935</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>-.5201</td>
<td>-.5113</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>.0579</td>
<td>.0553</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>.2403</td>
<td>.2512</td>
</tr>
<tr>
<td>Prior offenses of offender</td>
<td>-.3542</td>
<td>-.3153</td>
</tr>
</tbody>
</table>

The table reveals that the coefficients for prior offenses of the participants in the two programs were negative, indicating that offenders with prior offense records were less likely to complete restitution requirements. Another finding from Table 18 is that number of days in restitution had negative coefficients in both programs. That means, the greater the number of days in restitution, the lower the completion of restitution. The other independent variables shown in the table—race, sex, age, grade in school, type of damage, and restitution amount paid were not found to have any significant effect (at \( p = .01 \) or \( p = .001 \)) in the statistical analysis.
**Recidivism During Restitution**

Table 19 presents the regression coefficients obtained at the second stage of regression analysis, using number of offenses committed by the participants during restitution as the dependent variable.

**Table 19**

<table>
<thead>
<tr>
<th>Independent variables</th>
<th>Coefficients</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Elkhart</td>
</tr>
<tr>
<td>Race</td>
<td>.0537</td>
</tr>
<tr>
<td>Sex</td>
<td>.0602</td>
</tr>
<tr>
<td>Age</td>
<td>.0380</td>
</tr>
<tr>
<td>Grade in school</td>
<td>.0318</td>
</tr>
<tr>
<td>Type of damage</td>
<td>.0805</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>.4928</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>-.3701</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>-.2217</td>
</tr>
<tr>
<td>Prior offenses of offender</td>
<td>.3372</td>
</tr>
</tbody>
</table>

As evident from Table 19, the coefficients for restitution amount paid and community work hours done in both programs were negative. These negative coefficients point out that the more the participants made monetary restitution, and the more they completed community work hours, the lower the number of offenses committed by the participants during restitution. Conversely, the coefficients for number of days in
restitution and prior offenses of offenders in both programs were positive, indicating that the higher the value in those two variables, the higher the number of offenses during restitution.

Recidivism Subsequent to Restitution

The regression coefficients obtained at the third stage (number of offenses subsequent to restitution as the dependent variable) of regression analysis are presented in Table 20.

Table 20
Regression Coefficients of Independent Variables Toward Offenses Subsequent to Restitution

<table>
<thead>
<tr>
<th>Independent variables</th>
<th>Coefficients</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Elkhart</td>
<td>Kalamazoo</td>
</tr>
<tr>
<td>Race</td>
<td>.0462</td>
<td>.0449</td>
</tr>
<tr>
<td>Sex</td>
<td>.0833</td>
<td>.0824</td>
</tr>
<tr>
<td>Age</td>
<td>.0479</td>
<td>.0463</td>
</tr>
<tr>
<td>Grade in school</td>
<td>.0429</td>
<td>.0422</td>
</tr>
<tr>
<td>Type of damage</td>
<td>.0768</td>
<td>.0759</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>.4787</td>
<td>.4773</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>-.3578</td>
<td>-.3559</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>-.2518</td>
<td>-.2589</td>
</tr>
<tr>
<td>Prior offenses of offender</td>
<td>.3471</td>
<td>.3449</td>
</tr>
</tbody>
</table>

As shown by Table 20, the coefficients for restitution amount paid and community work hours done in both programs were negative. These
findings indicate that the more the participants paid restitution amount, and the more they completed community work hours, they were less likely to commit offense subsequent to their release from restitution programs. On the other hand, the coefficients for two independent variables—number of days in restitution and prior offenses of offenders in both programs were positive indicating that the more days the participants spent in restitution and the more they had prior offense records, the more likely was their offense subsequent to restitution. Interestingly, the findings about the coefficients of the five independent variables from Table 20 were similar to those from Table 19. In other words, number of days in restitution and prior offenses by offenders had positive coefficients toward offenses committed during as well as subsequent to restitution programs. In contrast, the coefficients for restitution amount paid and community work hours done were negative toward offenses committed during and after restitution. That means, the more the number of days the participants spent under restitution supervision and the more the number of their prior offenses, the more was their number of offenses during as well as after restitution programs. Conversely, the more the participants paid their restitution amounts, and the more they completed their community service hours, there was less likelihood for them to commit offenses during and subsequent to restitution programs.

Hypothesis I

The first hypothesis tested in the analysis was that there was no
difference in the level of completion of restitution contracts between privately and publicly operated programs. A discriminant analysis was conducted to calculate the effects of the collection of independent variables on the dependent variable, completion of restitution. The dependent variable was measured in terms of success and failure in completing restitution contracts. Within each of these two categories the data had two groups of participants from Elkhart and Kalamazoo. Discriminant analysis statistically distinguishes between the groups as they are influenced by significant independent variables. A two-group discriminant analysis was conducted for successful cases and failure cases separately. The independent variables—race, sex, age, grade in school, type of damage, number of days in restitution, restitution amount paid, community work hours done, and prior offenses of offenders were used as discriminating variables during the analysis phase. Discriminant analysis provided the following—the group means of all independent variables, the F value or significance of all these variables at \( p = .05 \) (in the analysis, the significance level was set at .05 for F values), and the F value for the differences between two groups of participants (Elkhart group and Kalamazoo group). The F values for the differences between groups were obtained from the significance test for the Mahalanobis' distance between groups.

The results obtained from the discriminant analysis on successful cases are discussed below. The percentages of successful cases were 76% for Elkhart and 78% for Kalamazoo (see Table 2). The group means of the independent variables in successful cases are presented in Table 21.
Table 21
Group Means for Successful Cases

<table>
<thead>
<tr>
<th>Variables</th>
<th>Elkhart</th>
<th>Kalamazoo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>1.18</td>
<td>1.26</td>
</tr>
<tr>
<td>Sex</td>
<td>1.18</td>
<td>1.13</td>
</tr>
<tr>
<td>Age</td>
<td>14.06</td>
<td>14.63</td>
</tr>
<tr>
<td>Grade in school</td>
<td>8.17</td>
<td>7.20</td>
</tr>
<tr>
<td>Type of damage</td>
<td>1.25</td>
<td>1.46</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>131.12</td>
<td>134.46</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>122.10</td>
<td>142.82</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>2.21</td>
<td>7.19</td>
</tr>
<tr>
<td>Prior offenses of offenders</td>
<td>.68</td>
<td>.53</td>
</tr>
</tbody>
</table>

Table 22 reports the F values and significance of each independent variable. Each of these F values was computed with 1 and 29 degrees of freedom.

Table 22
F Values of Independent Variables (Success)

<table>
<thead>
<tr>
<th>Variables</th>
<th>F</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>0.262</td>
<td>0.612</td>
</tr>
<tr>
<td>Sex</td>
<td>0.157</td>
<td>0.694</td>
</tr>
<tr>
<td>Age</td>
<td>0.946</td>
<td>0.338</td>
</tr>
<tr>
<td>Grade in school</td>
<td>3.158</td>
<td>0.086</td>
</tr>
<tr>
<td>Type of damage</td>
<td>6.154</td>
<td>0.079</td>
</tr>
</tbody>
</table>
Table 22--Continued

<table>
<thead>
<tr>
<th>Variables</th>
<th>F</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days in restitution</td>
<td>0.627</td>
<td>0.035</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>1.063</td>
<td>0.054</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>0.347</td>
<td>0.053</td>
</tr>
<tr>
<td>Prior offenses of offenders</td>
<td>0.744</td>
<td>0.395</td>
</tr>
</tbody>
</table>

It is evident from Table 22 that among all the independent variables, only three--number of days in restitution, restitution amount paid, and community work hours done--had significant effects at .05 level on the dependent variable, successful completion of restitution. In the analysis, these three independent variables were used to identify the difference between Elkhart and Kalamazoo groups in successfully completing restitution contracts.

Table 23 presents the F statistic and significance between the pair of groups. The F value was the result of significance test for distance between two groups with 4 and 26 degrees of freedom. This F value indicated the effects of the significant independent variables in differentiating between the two groups of participants ($F = 8.6304$). The computed significance of this F value was .1305. That is, the F value was not significant at .05 level in the discriminant analysis.
Table 23

F Statistic and Significance Between Groups (Success)

<table>
<thead>
<tr>
<th>Group</th>
<th>F Statistic</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Elkhart</td>
<td>8.6304</td>
<td>0.1305</td>
</tr>
<tr>
<td>Group Kalamazoo</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This table reveals that the effects of the three significant independent variables on the dependent variable—successful completion of restitution—did not identify any significant difference between Elkhart and Kalamazoo groups of participants at $p = .05$. In other words, the findings from this discriminant analysis support the first hypothesis that there was no significant difference in the level of compliance with restitution requirements or successful completion of restitution between the privately operated VORP with victim involvement and the publicly operated Kalamazoo program without victim participation.

The second discriminant analysis was conducted on failure cases between Elkhart and Kalamazoo groups. As we may recall, the percentages of failure cases were 18% for Elkhart and 22% for Kalamazoo. The group means of the independent variables obtained from the discriminant analysis on failure cases are presented in Table 24.
Table 24
Group Means of Failure Cases

<table>
<thead>
<tr>
<th>Variables</th>
<th>Elkhart</th>
<th>Kalamazoo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>1.20</td>
<td>1.29</td>
</tr>
<tr>
<td>Sex</td>
<td>1.14</td>
<td>1.12</td>
</tr>
<tr>
<td>Age</td>
<td>15.85</td>
<td>15.96</td>
</tr>
<tr>
<td>Grade in school</td>
<td>10.14</td>
<td>10.18</td>
</tr>
<tr>
<td>Type of damage</td>
<td>1.28</td>
<td>1.25</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>163.85</td>
<td>166.75</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>21.42</td>
<td>67.65</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>1.47</td>
<td>2.78</td>
</tr>
<tr>
<td>Prior offenses of offenders</td>
<td>0.76</td>
<td>0.68</td>
</tr>
<tr>
<td>Offenses during restitution</td>
<td>0.67</td>
<td>0.59</td>
</tr>
</tbody>
</table>

Table 25 reports the F values and significance of each independent variable. Each of these F values was computed with 1 and 13 degrees of freedom.

Table 25
F Values of Independent Variables (Failure)

<table>
<thead>
<tr>
<th>Variables</th>
<th>F</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>1.823</td>
<td>0.216</td>
</tr>
<tr>
<td>Sex</td>
<td>0.585</td>
<td>0.809</td>
</tr>
<tr>
<td>Age</td>
<td>2.582</td>
<td>0.114</td>
</tr>
</tbody>
</table>
Table 25--Continued

<table>
<thead>
<tr>
<th>Variables</th>
<th>F</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade in school</td>
<td>1.839</td>
<td>0.181</td>
</tr>
<tr>
<td>Type of damage</td>
<td>0.164</td>
<td>0.686</td>
</tr>
<tr>
<td>Days in restitution</td>
<td>6.244</td>
<td>0.015</td>
</tr>
<tr>
<td>Restitution amount paid</td>
<td>0.179</td>
<td>0.093</td>
</tr>
<tr>
<td>Community work hours done</td>
<td>1.171</td>
<td>0.127</td>
</tr>
<tr>
<td>Prior offenses of offenders</td>
<td>1.061</td>
<td>0.001</td>
</tr>
<tr>
<td>Offenses during restitution</td>
<td>5.706</td>
<td>0.009</td>
</tr>
</tbody>
</table>

It is apparent from Table 25, only three independent variables—number of days in restitution, prior offenses of offenders, and offenses committed by participants during restitution—had significant effects at the .05 level on the dependent variable, failure to complete restitution contracts. Consequently, only these three variables were used in discriminant analysis to reveal the difference between Elkhart and Kalamazoo groups for failure in completing restitution. However, it is evident from the table that out of the three significant independent variables, prior offenses of offenders and offenses during restitution were more significant than number of days in restitution and parental status. For instance, the significances for prior offenses and offenses during restitution were .001 and .009 compared to the significance for number of days in restitution (.015). As a result, prior offenses and offenses during restitution had more significant effects than number of days in restitution in differentiating between Elkhart and Kalamazoo.
groups.

Table 26 reports the F statistic and significant difference between the two groups of participants for failure cases.

<table>
<thead>
<tr>
<th>Group Elkhart</th>
<th>Group Kalamazoo</th>
<th>F Statistic</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>9.244</td>
<td>0.009</td>
</tr>
</tbody>
</table>

It is evident from this table, the effects of the three significant independent variables on the dependent variable, failure in completing restitution, revealed significant difference between Elkhart and Kalamazoo groups at $p = .009$. This difference can be explained through the findings from the first section (descriptive characteristics) of this chapter. As may be recalled, 15 juveniles in the Elkhart program committed offenses during restitution as compared with 9 in the Kalamazoo program. Regarding the number of days in restitution programs (see Table 9), 29.7% participants in the Elkhart program spent between 181 to 541 days in restitution. Compared with this, the percentage of participants spending similar number of days in the Kalamazoo restitution program was 20.2%. Also, as Table 12 reports, in the Elkhart program 56.1% participants had prior offenses compared with 48.6% in the Kalamazoo program. The frequencies and percentages of participants in Elkhart were higher than those in Kalamazoo for the three significant independent variables--number of days in restitution, prior offenses, and offenses during restitution. Consequently, these
independent variables had significant effects in differentiating between the participants of the two programs toward failure in completing restitution contracts. Overall, the findings from the discriminant analysis supported the first hypothesis that there was no significant difference in the level of completion of restitution between the privately and publicly operated programs.

**Sub-Hypothesis 1a**

To test this sub-hypothesis, a chi-square test of independence was computed. The null hypothesis was that the duration of restitution, that is, the number of days the participants spent in the two restitution programs, did not have any effect on completion of restitution requirements. Another way of phrasing the null hypothesis is to say that number of days in restitution and completion of restitution were independent, meaning there was no relationship between the number of days spent by participants under restitution supervision and their completion of restitution contracts. The chi-square test was computed to identify whether these two variables were dependent or independent. The variable, number of days in restitution, was divided for the chi-square test into two categories—14 to 180 days and 181 to 541 days, to keep the cell sizes from getting too small. The findings from the chi-square test are presented in Table 27.
Table 27
Chi-square Test of Number of Days in Restitution and Completion of Restitution Contracts

<table>
<thead>
<tr>
<th>Completion of restitution</th>
<th>14 to 180 days</th>
<th>181 to 541 days</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>UnSuccessful</td>
<td>34</td>
<td>12</td>
<td>46</td>
</tr>
<tr>
<td>(expected)</td>
<td>37.75</td>
<td>8.25</td>
<td>23.0%</td>
</tr>
<tr>
<td>Success</td>
<td>149</td>
<td>28</td>
<td>177</td>
</tr>
<tr>
<td>(expected)</td>
<td>145.25</td>
<td>31.75</td>
<td>77.0%</td>
</tr>
</tbody>
</table>

| Column                    | 183            | 40              | 223       |
| Total                     | 82.6%          | 17.4%           | 100%      |
| Chi-square Value          | 2.615          |                 |           |
| Degrees of freedom        | 1              |                 |           |
| Non-significant           | 2.6            |                 |           |

As shown by the table, the observed frequencies for two categories of number of days in restitution for unsuccessful cases were 34 and 12, while the expected frequencies for the same were 37.75 and 8.25. The observed frequencies for the two categories of number of days in restitution for successful completion of restitution were 149 and 28. The expected frequencies for the same were 145.25 and 31.75. Consequently, the residual, that is, the differences between observed and expected frequencies for each cell was either 2.8 or -2.8. All these residuals were close to zero. The value of the chi-square statistic was small, 2.6 non-significant.
As a result of these findings, a conclusion can be made that it was unlikely that the two variables were dependent in the population. In other words, the null hypothesis that the two variables were independent could not be rejected.

**Hypothesis II**

To test the second hypothesis, t-tests were computed. The null hypothesis was that there was no difference in recidivism among the restitution program participants in Elkhart and Kalamazoo. As mentioned earlier, recidivism was measured in terms of offenses committed during and subsequent to restitution programs. Therefore, t-tests were computed to test the null hypothesis that there was no difference between the two sample means in number of offenses committed during and after restitution. These t-tests were conducted to test the third hypothesis about two independent means of reoffense among the participants of the two programs. The findings from the t-tests are reported in Table 28 and Table 29.

**Table 28**

T-test for Offenses During Restitution

<table>
<thead>
<tr>
<th>Groups</th>
<th>Mean</th>
<th>t-value</th>
<th>degrees of freedom</th>
<th>2-tailed probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>.0910</td>
<td>.49</td>
<td>221</td>
<td>.590</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>.0861</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 29
T-test for Offenses Subsequent to Restitution

<table>
<thead>
<tr>
<th>Groups</th>
<th>Mean</th>
<th>t-value</th>
<th>Degrees of Freedom</th>
<th>2-tailed Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhart</td>
<td>2.86</td>
<td>.35</td>
<td>40</td>
<td>.697</td>
</tr>
<tr>
<td>Kalamazoo</td>
<td>2.77</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

It is evident from Table 28 and Table 29 that the observed significance levels (labeled as 2-tailed probability) were .590 and .697 respectively. One explanation for these large significance levels is, the differences between the means in both t-tests were quite small. Because of very small differences between the means, the significance levels were large. The second explanation is, though the means were unequal, it was not possible to detect the difference because of small sample size. However, due to the fact that the significance levels were much larger than p = .05, the null hypothesis could not be rejected. That means, regardless of the nature of restitution programs, privately operated or publicly operated, there was no difference in recidivism among the program participants.

Further t-tests were computed with the two groups together to identify whether participation in a restitution program made any difference for those juveniles who had prior offense records and committed offenses during as well as after their restitution programs. These t-tests were computed at three stages: (1) prior offenses of offender and offenses committed during restitution, (2) prior offenses of offender and offenses subsequent to restitution, and (3) offenses...
during restitution and offenses subsequent to restitution. The findings from these t-tests are presented in Table 30.

Table 30
T-tests on Recidivism Among Participants

<table>
<thead>
<tr>
<th>Variables</th>
<th>Mean</th>
<th>t-value</th>
<th>Degrees of Freedom</th>
<th>2-tailed Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior offenses of offenders</td>
<td>.6304</td>
<td>10.99</td>
<td>114</td>
<td>0.000</td>
</tr>
<tr>
<td>Offenses during restitution</td>
<td>.0826</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior offenses of offenders</td>
<td>.6304</td>
<td>9.72</td>
<td>45</td>
<td>0.000</td>
</tr>
<tr>
<td>Offenses subsequent to restitution</td>
<td></td>
<td>2.5870</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offenses during restitution</td>
<td>.0826</td>
<td>12.76</td>
<td>45</td>
<td>0.000</td>
</tr>
<tr>
<td>Offenses subsequent to restitution</td>
<td></td>
<td>2.5870</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

As reported in Table 30, the significance levels in the t-tests were 0.000 at each stage. This indicates that the significant difference in each t-test was less than 0.0005 ($p = .0005$). The findings from these t-tests demonstrate that for those juveniles who had prior criminal records, restitution programs had been effective in reducing their recidivism, as long as they were in the programs. The means for prior offenses and offenses during restitution were .6304 and .0826 respectively among the participants of the two programs.
together. Once these juveniles were discharged from restitution programs, there was an increase in their subsequent offenses, as evident from the mean of number of offenses during restitution (.0826) and the mean of number of offenses subsequent to restitution (2.5870). Difference in means were also found between prior offenses of offenders (.6304) and number of offenses subsequent to restitution (2.5870). In other words, there was a difference in the mean number of offenses pre-program and post-program for participants with prior offense records. As evident from these t-tests, participants with prior offense records (mean = .6304) committed less number of offenses (mean = .0826) when they were under restitution supervision in both programs. After they were released from restitution programs, their number of offenses increased (mean = 2.5870). Statistically, the difference in means between prior offenses and offenses during restitution was .5478 (.6304 - .0826 = .5478); the difference in means between offenses during restitution and offenses subsequent to restitution was -2.5044 (.0826 - 2.5870 = -2.5044). These findings indicate that prior offense records of the participants were significant toward their future offending. The results obtained from the t-tests lead to the conclusion that for those participants who had prior offense records, a restitution program was only a stop-gap measure and delayed but did not deter future offenses.

Synopsis of Findings

Before turning to a discussion and interpretation of the findings just presented, it will be helpful to provide a synopsis of these findings. Therefore, the intent in this section is to recapitulate the
findings derived from the data analysis.

As evident from Table 17, the following variables—prior offense of the offender, offenses committed during restitution, and completion of restitution, were correlated and these correlations were significant at $p = .01$ and $p = .001$. Prior offense of the offender and offense during restitution, prior offense of the offender and completion of restitution, and offense during restitution and completion of restitution had $r$-values of .17 ($p = .01$), -.19 ($p = .001$), and -.46 ($p = .001$) respectively for Elkhart. For the Kalamazoo program, these correlations were .15 ($p = .01$), -.17 ($p = .001$), and -.41 ($p = .001$). These coefficients indicate the following facts about the participants of the two programs. First, these participants who had prior offense records, had committed offenses during their restitution programs. Second, participants with prior offense history were less likely to complete their restitution requirements. Finally, when the participants committed offenses during their restitution programs, they failed to complete their restitution contracts.

Regression coefficients from Table 18 indicate that offenders with prior offense records were less likely to complete restitution contracts. Also, it is apparent from Table 19 that restitution amount paid and community work hours done had negative regression coefficients (-.3701 and -.2217 for Elkhart, and -.3695 and -.2253 for Kalamazoo) toward offenses during restitution. These two variables were also found to have negative coefficients toward offenses subsequent to restitution. For the Elkhart program, these coefficients were -.3578 (restitution amount paid) and -.2518 (community work hours done). As for the
Kalamazoo program, these coefficients were -.3559 (restitution amount paid) and -.2587 (community work hours done). Compared to these variables, prior offenses of participants had positive coefficients toward offenses during restitution (.3382 for Elkhart and .3358 for Kalamazoo) as well as offenses subsequent to restitution (.3471 for Elkhart and .3449 for Kalamazoo).

To test the first hypothesis that there was no significant difference in the level of compliance with restitution or successful completion of restitution between the privately operated VORP with victim participation and the publicly operated Kalamazoo program without victim participation, a two-group discriminant analysis was computed. As evident from Table 23, the first hypothesis was supported by this analysis. That is, there was no statistically significant difference between privately-operated and publicly-operated restitution programs toward completion of restitution contracts by juvenile offenders. However, a statistically significant ($p = .009$) difference was found between these two programs toward failure in completing restitution contracts. This significant difference was found to be the effects of three significant independent variables--number of days in restitution, parental status, prior offense of the offender, and offense committed during restitution.

The sub-hypothesis that duration of restitution contracts, that is, number of days in restitution and completion of restitution are independent, could not be rejected (see Table 27). Put another way, completion of restitution was not dependent upon number of days in restitution.
The findings from Tables 28 and 29 indicate that there was no statistically significant difference in the level of recidivism between the participants in Elkhart and Kalamazoo. That is, regardless of the type of restitution programs, privately-operated or publicly-operated, there was no difference in recidivism among the program participants.

Further statistical analyses on recidivism among the program participants reported an interesting finding. For those participants with prior offense records, restitution programs had been effective in reducing their recidivism, but only during the restitution periods. After they were discharged from the programs, the effectiveness of the programs in reducing recidivist offenses diminished.
CHAPTER V

DISCUSSION AND CONCLUSIONS

This chapter opens with a discussion of the results of data analysis contained in Chapter IV. Specifically, the findings are summarized and discussed. The remainder of this chapter is then devoted to expounding the conclusion of this research in view of the ideological considerations of restitution in the American juvenile justice system.

Discussion of Findings

The intent of this research was to focus on the effectiveness of the privately operated restitution program in Elkhart County, Indiana, and the publicly operated program in Kalamazoo County, Michigan. Effectiveness of these two juvenile restitution programs was measured in terms of two components: (1) offenders' completion of restitution contracts—that is, offenders finishing their restitution requirements (monetary payments to their victims and/or community service); and (2) impact of restitution programs in reducing recidivist crimes among the participants. The following independent variables were used in the analysis to measure the effectiveness of the two programs: race, sex, age, grade in school, type of damage, number of days in restitution programs, restitution amount paid, community work hours done, and prior offense records of the participants.

In the analysis of data, 114 cases from Elkhart and 109 cases from
Kalamazoo were used. Eighty-six percent of the participants in Elkhart were male offenders and the remaining 14% females. The figures in Kalamazoo were 88% males and 12% females. The Elkhart program included 84.2% whites while the Kalamazoo program had 73.4% whites. The age-range of the participants in both the programs was from 9 to 17 years. However, in both the programs, the majority of the participants were 16 years old. Data were also collected on the participants' grades in school; the range of grades was from 3 to 12. However, the majority of the participants in Elkhart were in grade 11 and in Kalamazoo were in grade 10.

Regarding the types of damages incurred through offenses for which the participants were assigned to restitution programs, the damages were more than $100 in 74 cases (64.9%) and less than $100 in 40 cases (35.1%) in the Elkhart program. The number of cases in these two categories were 56 (51.4%) and 53 (48.6%) respectively in Kalamazoo.

Concerning the duration of restitution, that is, the number of days the participants spent in restitution programs, the majority was in the first category (14 to 180 days) in both the initiatives. As for restitution amount paid in both the programs, 91% of the juveniles' repayments to their victims ranged from $10 to $350. In comparison, only 1% of the participants in each program made monetary payments ranging from $1051 to $5000. Regarding community work hours completed, 37 participants out of 43 assigned in the Kalamazoo program, and 10 out of 18 assigned in Elkhart, complied with their work hours requirements. Finally, data were also gathered on prior offense records of the participants in both the programs. Approximately 56%
of the juveniles in Elkhart and 48% in Kalamazoo had prior offense records.

All the variables discussed above were used in the analysis to test the hypotheses. The first hypothesis was--there is no significant difference in the level of compliance with restitution requirements between the two programs. In other words, it was proposed that there is no significant difference in successful completion of restitution (monetary payments to victims and community service) between the privately operated and the publicly operated programs. The hypothesis was supported by the findings from Table 23. Among all the independent variables, only three--number of days in restitution, restitution amount paid, and community work hours done--were found to have significant effects at .05 level on the dependent variable, successful completion of restitution. In the discriminant analysis, these three independent variables were included to distinguish between the two programs in completing restitution contracts. The F-statistic in discriminant analysis was computed but did not reveal any significant difference between the two programs. That is, there was no statistically significant difference between the privately operated and the publicly operated undertakings in terms of successful completion of restitution requirements. However, among the significant independent variables, restitution amount paid (p = .054) and community work hours done (p = .053) were more significant than number of days in restitution (p = .035).

The discriminant analysis for failure cases in the two programs demonstrated statistically significant difference between the programs.
Three independent variables—number of days in restitution, prior offense record of the offender, and offense committed by the offender during restitution—had significant effects at .05 level on the dependent variable, failure to complete restitution requirements. As a result, these three independent variables were used as discriminating variables to identify the statistically significant difference between the two programs for failure cases. Among the three variables, prior offense of the offender and offense committed during restitution had higher significance ($p = .001$ and $p = .009$ respectively) than number of days in restitution ($p = .015$). The computed $F$-statistic was 9.244 ($p = .009$). The findings from Table 25 and Table 26 demonstrate that the significant effects of the three independent variables included in the discriminant analysis made statistically significant difference between the two programs in terms of failure of the participants in completing restitution requirements. In the Elkhart program, 56.1% of juveniles had prior offense records compared with 48.6% in the Kalamazoo program. Also, 12.3% of the Elkhart program participants and 8.2% in the Kalamazoo program committed offenses during restitution. The findings from this discriminant analysis indicate that prior offense record of the offender was most significant ($p = .001$) for failure in completing restitution requirements. The significant difference between the two programs for failure cases resulted from the proportion of participants that fall in the high-risk group. The participants with prior offense records were more unlikely to successfully complete restitution and more likely to commit further offenses regardless of privately operated or publicly operated programs.
The sub-hypothesis tested in the analysis was--the level of compliance of restitution contracts is not dependent upon the duration of restitution in the two programs. In other words, it was hypothesized that the number of days in restitution and completion of restitution were independent. Consequently, a chi-square test of independence was computed to test this hypothesis. The number of days spent by the participants in restitution programs was classified into two categories: (1) 14 to 180 days and (2) 181 to 541 days for this chi-square test. Also, completion of restitution was dichotomized as successful cases and failure cases. The chi-square value obtained was 1.3213 and the observed significance was .5423. The residuals, that is, the differences between the observed and expected frequencies for each cell were either 2.8 or -2.8. All these residuals were close to zero. These findings from the chi-square test of independence demonstrated that it was unlikely that the two variables were related. Another way of phrasing the findings is to say that the completion of restitution requirements by the participants was not dependent upon the number of days they spent in restitution programs. Hence, the second hypothesis that the two variables were independent, could not be rejected.

As for the second hypothesis, t-tests were computed. The null hypothesis was--recidivism among the participants in the Elkhart program was not different from recidivism among the Kalamazoo program participants. In other words, it was hypothesized that there is no statistically significant difference between the participants of the two programs in terms of recidivism. Recidivism was measured as: (a) offenses committed during restitution programs and (b) offenses
committed after the participants were released from the programs. A t-test was conducted for each of the two situations. Table 28 reports the findings from the t-test for offenses committed during restitution programs. The means obtained for the Elkhart and the Kalamazoo program participants were .0910 and .0861. Because the mean difference was .0049, the obtained t-value was .49 with 228 degrees of freedom. The resultant significance between the two program participants was .590 which means that the difference was not significant.

The findings from the second t-test for offenses committed by the participants subsequent to restitution programs are presented in Table 29. The obtained means of these offenses were 2.86 for Elkhart and 2.77 for Kalamazoo. The mean difference was .09. Consequently, the obtained t-statistic was .35 with 44 degrees of freedom. The obtained significance for offenses subsequent to restitution was .697. In both the t-tests, the significance levels were large compared with $p = .05$, due to very small differences between the means. Because of the findings that the significant levels were much larger than $p = .05$, the null hypothesis could not be rejected. That is, the findings from Table 28 and Table 29 suggest that regardless of the type of restitution programs, privately operated or publicly operated, there was no statistically significant difference in recidivism among the program participants.

Further t-tests were computed for the two groups of participants to find out whether participation in restitution programs made any impact on recidivism among those juveniles who had prior offense
history and committed offenses during as well as subsequent to restitution. These t-tests were computed at the following stages:
(a) prior offense record of the offender and the number of offenses committed during restitution, (b) prior offense record of the offender and the number of offenses committed subsequent to restitution, and (c) the number of offenses committed during restitution and the number of offenses committed subsequent to restitution. Incidentally, the findings from these t-tests revealed interesting facts concerning the effectiveness of restitution programs (both privately operated and publicly operated) on offender recidivism. The means obtained from the first t-test were .6304 (prior offense record of the offender) and .0826 (number of offenses during restitution). The computed t-value was 10.99 with 120 degrees of freedom. The difference of means was .5478. The second t-test provided the means for prior offense record of the offender (.6304) and the number of offenses subsequent to restitution (2.5870). The difference of means was 1.9566. Consequently, the t-value turned out to be 9.72 with 45 degrees of freedom. The means computed from the third t-test were .0826 (number of offenses during restitution) and 2.5870 (number of offenses subsequent to restitution). The difference of the obtained means was 2.5044. This mean difference led to a t-value of 12.76 with 45 degrees of freedom. The significance level of each t-test was 0.000. That is, the significant difference in each t-test was less than 0.0005 (p = .0005). These findings from the t-tests demonstrated that there were statistically significant differences between:

1. Prior offenses of offenders and offenses committed during
restitution,

2. Prior offenses of offenders and offenses committed subsequent to restitution, and

3. Offenses committed during restitution and offenses committed subsequent to restitution. In other words, for those juveniles who had prior offense records, restitution programs had been effective in reducing their recidivism as long as they were in the programs (see Table 30). Once these juveniles were discharged from restitution programs, there was an increase in their subsequent offenses, as apparent from the third t-test in Table 30. That means, after these juveniles were released from their restitution programs, the programs' effectiveness in reducing recidivist offenses diminished.

Conclusion

The early 1980s witnessed several expressions of political awareness and recognition for victims of crime. The establishment of a Victims of Crime Task Force of 1980, the enactment at the federal level of the Victim Witness Protection Act of 1982 and also the Victims of Crime Act of 1984 are examples of such awareness and recognition (Viano, 1987). Victim advocates contend that in the case of property crimes, the victim's preponderant interest is recovery and financial reparation. The victim needs an experience of justice (Zehr, 1989). Restitution offers an excellent opportunity to satisfy this need. As a matter of fact, "Restitution is a mechanism for reintegrating victim interest into the justice system, for contributing to the state interest in reforming offenders, and for providing a punishment for the offender" (Galaway,
As originally conceived, the purpose of restitutive sentencing has been to restore victims to the conditions existent prior to their victimization (Upson, 1987). This is what Friedman (1985) considers to be a sentence that attempts to bring about "total justice" for victims. That is, in addition to punishing those who break the law, victims are provided with an opportunity to achieve justice by being directly recompensed by their offenders. The inclusion of restitutive sanction in the juvenile justice system led the victim advocates to conclude that the rights of victims are on their way to being well ingrained to the justice process, just as those protecting offenders. Certainly, now that this sentence has been codified into law at both federal and state levels, chances are better than ever for victims to be recompensed for their losses.

The present research focused on the effectiveness of two restitution programs for juvenile offenders, one in Elkhart County, Indiana, and the other one in Kalamazoo County, Michigan. Effectiveness of the two programs was measured in terms of the reparative goal and the sentencing goal of juvenile restitution. The first goal, reparative, is that restitution provides victims with "an opportunity to claim all relevant losses" (McGillis, 1986, p. 66) incurred through crime. As for the sentencing goal, McGillis (1986) and Armstrong et al. (1983) contend that restitution promotes an increased sense of accountability and responsibility, thereby reducing recidivism among the participants. It may be recalled that the Elkhart program is a Victim Offender Reconciliation Project (VORP) and the other one in Kalamazoo is a
non-VORP restitution program operated and monitored by the Juvenile Probate Court. The VORP is a post-adjudication program and the non-VORP is a pre-adjudication project. Additionally, the VORP is privately operated while the non-VORP is publicly operated. However, these two programs have one feature in common--participation by the offenders is voluntary.

The reparative goal of restitutive sentencing responds to the emerging interest in crime victims in the way that there is potential for recompense of crime victims. Put another way, regardless of the type of operation--private or public--restitution programs offer crime victims the opportunity to be compensated by their offenders for their damages. However, McGillis (1986) comments that among the two types of programs, privately operated programs such as VORP report higher level of completion of restitution contracts than publicly operated programs. Similar comment was voiced by Schneider and Warner (1989). Furthermore, Galaway (1988) and Coates and Gehm (1985) contend that for those who participate in face-to-face meetings, completion of restitution is quite high compared with those who never meet their victims. Regarding low completion rate of publicly operated restitution programs, Zehr (1982) maintains, "Victims may be consulted to help determine financial losses, but are rarely allowed to participate further" (p. 65). The point is, according to Galaway (1988), McGillis (1986), and Coates and Gehm (1985), because the offenders do not meet their victims face-to-face in publicly operated programs, the completion rate of these programs is lower than privately operated programs.

In contrast to the contention mentioned above, the present research
findings demonstrated that there was no significant difference in completion of restitution contracts between privately operated (Elkhart) and publicly operated (Kalamazoo) programs. In these two programs together, 77% of the restitution contracts were successfully completed. The important point is, participation by offenders in both the programs is voluntary. Previous researchers reported higher completion rate for private programs than public ones. However, they did not take into consideration the important aspect of voluntary participation by offenders in public programs. According to the findings of the present research, the rate of successful completion of restitution contracts in the public program at Kalamazoo was no less than that in the private program at Elkhart. Consequently, it can be concluded that notwithstanding the type of restitution programs, private or public, there is no difference in the completion rate of restitution contracts, as offenders participate in both the programs voluntarily.

Another point is, a central goal of restitution programs is the provision of full restitution to crime victims. In other words, restitution contracts are supposed to provide full restitution to all victims involved, regardless of the type of programs. In reality, the research findings demonstrated that not all victims, in spite of restitution contracts, receive full compensation from their offenders. That is, while restitution gives victims the right to recover financial losses incurred through crimes, they are not guaranteed all that may be entitled to them. This led McGillis (1986) to emphasize the importance of "victims understanding at the outset that they are not guaranteed
restitution" (p. 36).

However, Zehr (1982) contends, "the concept of restitution is on the right track--it recognizes that crime is a wrong done to a victim--but to fully implement the concept, restitution must involve victim and offender and address needs for both" (p. 65). Offenders do not meet their victims face-to-face in public programs, beyond receiving a restitutive sanction and making payments to their victims. Consequently, "restitution is experienced by offenders as a punitive sanction rather than a restoration of losses" (Zehr, 1982, p. 65). The proponents of restitution contend that offenders should be accountable for their wrongdoings. Accountability includes an opportunity to understand the human consequences of one's acts; it also includes taking responsibility for the results of one's behavior. The issue of accountability and responsibility on the part of offenders points to the sentencing goal of restitution.

The sentencing goal of restitution is to promote an increased perception of accountability and responsibility leading to resultant reduction in recidivism among the offenders. The sentence of restitution offers the juvenile justice system a unique approach in dealing with offenders. As Finn and Lee (1987) contend, the very act of making restitution payments can be punitive as well as rehabilitative, as offenders confront and make reparation for the harm caused by their criminal acts. Likewise, Armstrong et al. (1983) and Maloney et al. (1982) stress that restitution holds offenders accountable and provides the opportunity to take personal responsibility for the consequences of their crimes. Additionally, restitutive sentencing
can serve as a deterrent for the program participants since it lowers net gains for committing crimes.

Therefore, according to the proponents, restitution programs, regardless of private operation or public operation, are supposed to hold offenders accountable and responsible, thereby lowering recidivism. Regarding private programs like VORP, Zehr (1982) contends,

The offender is held personally accountable through the VORP process. In a unique way, he/she is forced to confront the real consequences of his/her actions, to learn human dimensions of a specific criminal act. . . In addition, the offender is encouraged to take responsibility for his/her own action (p. 66-67).

In other words, because the offenders in the VORP (for instance, the Elkhart program) meet their victims face-to-face, they are more accountable and responsible for their wrongdoings than those who participate in non-VORP projects like the one in Kalamazoo. Moreover, due to their higher levels of accountability and responsibility, the VORP participants would have lower recidivism rate compared to the non-VORP participants. Hence, according to this contention, supposedly there should be a difference in the level of recidivism between the participants of the two types of programs.

In contrast to this contention, the present research findings demonstrated that there was no significant difference in recidivism among the participants of the two programs. However, for those participants who had prior offense records, both programs had short-term effectiveness in reducing recidivism. That is, both programs were effective in reducing recidivism among those participants only as long as they were under restitution supervision. The short-term effect on these offenders' recidivism faded away subsequent to their release from
restitution programs, both private and public. Regarding the effectiveness of private restitution programs on offender recidivism, Coates and Gehm (1985) made a noteable comment. As they put it, "It is our impression that most of the offenders whom we interviewed took the VORP process seriously and have a better sense that what they did hurt people and require a response. However, this does not mean that such increased awareness will necessarily deter future crime" (p. 20). As for publicly operated juvenile restitution programs, high recidivism rates have been reported by a number of studies. For instance, Schneider and Schneider (1984b) found 60% recidivism in three counties of Minnesota. High rates were also reported by Schneider (1986) as 53% and Schneider and Schneider (1984a) as 46%. However, compared to these figures, the present research found 19% and 21% recidivism among the participants of the private and the public programs. These percentages suggest that when offenders participate voluntarily in restitution programs, when they voluntarily accept accountability and responsibility for their crimes, the rate of re-offense goes down. Overall, the findings of the present research suggest that voluntary participation by offenders in restitution programs, regardless of private operation and public operation, leads to high completion rate of restitution contracts and low rate of re-offense by the participants. However, in both programs studied in this research, chronic offenders, that is, offenders with prior offense records presented an important issue toward successful completion of restitution. Schneider (1985) in her study mentioned that "the probability of successful completion for first offenders was 90% among the 14,000 or so youths included in the
federally funded program; this probability declined to 77% for youths
with prior offenses" (p. 16). That is, Schneider's (1985) study
reported that the probability of successfully completing restitution
requirements was lower for participants with priors than those with no
prior. In other words, participants with priors failed more in
completing restitution compared to first offenders. Also, Schneider and
Warner (1989) commented that data from the national evaluation reported
that youths with prior offenses were less likely to complete their
restitution requirements. In their words, "Youth with no prior offenses
averaged 90% completion rates, but those with six or more prior offenses
had a completion rate of 70%" (p. 9). Likewise, the present research
findings demonstrated that in both programs, juveniles with prior
offense records were more likely to fail in completing restitution.
Additionally, in both programs, these juveniles committed recidivist
offenses. They committed offenses during as well as subsequent to
restitution programs. Under restitution supervision their offense rate
went down (mean of prior offenses was .6304 and mean of offenses during
restitution was .0826; see Table 28). Once they were released from a
restitution program, their subsequent offenses increased (mean =
2.5870). Consequently, their involvement in a restitution program
turned out to be a stop-gap measure. Involvement in a restitution
program delayed but not deterred their future offending.

These findings raise a couple of questions regarding re reparative as
well as sentencing goals of restitution. First, what is the probability
of these chronic offenders in successfully completing restitution
requirements? Second, is there any accountability and responsibility
among these offenders toward reducing or deterring recidivist offenses? In answering the first one, research suggests that chronic offenders had low success rate in completing restitution. In other words, when chronic offenders participate (voluntarily or involuntarily) in restitution programs, their victims have less probability of being fully recompensed. That is, the reparative goal of restitution—opportunity for victims to be recompensed for all losses—becomes arduous when chronic offenders participate in restitution programs. As for the second question, research indicates that the sentencing goal of restitution—promoting an increased sense of accountability and responsibility, thereby reducing recidivism—is far from reach for chronic offenders. It is questionable whether restitution is effective for repeat offenders (Schneider & Warner, 1989). Research reveals that accountability and responsibility do not hold water for these offenders. At best, they reduce their future offending during restitution supervision. For offenders with prior offense records, it is hard to achieve both reparative and sentencing goals of restitution by involving them in these programs, regardless of private operation or public operation. In this situation, the question comes—whether offenders with prior offense records should be assigned or allowed to participate in restitution programs. Research suggests that prior offense records of the offenders should be a significant deciding factor before they are assigned to restitution. As Zehr (1982) points out, to these offenders, restitution "is viewed simply as a sanction instead of a logical attempt to right a wrong and fulfill an obligation to another person" (p. 6).

Restitutive sentence is supposed to make the juvenile offender
accountable and responsible for his/her criminal act; accountability and responsibility are, in turn, expected to meet the traditional sentencing goals of punishment, deterrence, and rehabilitation. Van den Haag (1985) contends that punishment is essential to rehabilitation, because "without punishment rehabilitation is unlikely to take place. So, punishment should be mandatory" (p. 86). Likewise, regardless of voluntary or involuntary participation by the offenders, completion of reparative payments by them should be mandatory to make them accountable and responsible for their criminal behavior. However, in reality, things might be different in the coming years. A case in point comes from the State of Michigan. Under subsection 44 (18) of the State of Michigan Bill 4240 (enacted on June 1, 1988), a juvenile offender who is required to pay restitution, at any time during his period of reparation, may petition the court for a cancellation of any unpaid portion of restitution due to financial problems; consequently, the court may oblige the juvenile. When this is the situation, the victims are likely to lose their battle for being recompensed by their offenders. Also, the sentencing goal of restitution is likely to be far from reach.

Regarding accountability and responsibility on the part of the juvenile offender, there is another problem. Individual files on the participants do not keep any information about whether the juveniles paid back to their victims on their own or their parents made the payments for them. When their parents paid back to the victims, then the issues of accountability and responsibility on behalf of the juveniles do not hold water. Consequently, the sentencing goal of
deterrence loses its ground.

**Shortcomings of the Present Study and Recommendations for Future Study**

The present research has some shortcomings. The study does not include information about the participants' perception of accountability and responsibility, the participants' opinion about participation in restitution program, and also the victims' opinion about the effectiveness of restitution program toward repayments by their aggressors. Also, this study did not focus on the sex factors of the participants. For instance, comparing restitution compliance and recidivism between male and female offenders might provide significant findings about the effectiveness of restitution programs.

Yet another issue might be the effect of race and SES (socio-economic factor) of the juveniles toward restitution. A major concern directed at restitution programs generally is that there may be a race or class bias built into the nature of this disposition. If eligibility for restitution is based upon the apparent ability of the youth to recompense the victim, and if minorities and juveniles from low income families are deemed as less able to pay restitution, then this disposition may become the sanction of choice for white, middle-class juveniles. The extent to which this problem exists is yet unknown. In the national juvenile restitution initiative, about 20% of the referrals were black and in communities with substantial minority and low income population, the racial and class proportions referred to the program did not reflect the representativeness of the community make-up (Schneider & Warner, 1989). Among the participants of the two programs compared in
the present study, about 21% were non-whites. Hence, future studies on restitution need to concentrate on race and class factors of the participants.

As for VORPs, where trained mediators are used to bring both offenders and victims at the same table in order to reach restitution agreements, a number of factors concerning the mediators might be responsible for the success of these programs. For instance, the social background, training, and also the sex of the mediators might be influential in making these programs successful. Evaluative studies on VORP should focus on the mediators to point out their effectiveness, as their roles in the VORP process is quite significant.

Also, a note on the repeat offenders needs to be made. Research findings have repeatedly shown that restitution programs have been less effective for chronic offenders compared to first time offenders. These offenders with prior offense history had been in the juvenile justice process prior to their assignment to restitution programs. A number of factors might be responsible for their attitudes and behavior toward restitution. For example, their previous processing in the juvenile justice system might be responsible for their adverse attitudes toward restitution. Interpersonal relations between them and court or correctional officials play a significant role in influencing their attitude toward a juvenile court disposition. If these officials are not successful in increasing their perception of accountability and responsibility for their wrongdoings, then their assignment to restitution programs is viewed as just another sanction rather than a rational attempt to right a wrong and execute an obligation to their
victims. Future research on restitution programs needs to focus on these factors to point out the reasons for less effectiveness of these programs on repeat offenders.

Finally, the present study reports the findings from a comparison of privately and publicly operated juvenile restitution programs in mid-Western parts of the country. This study should be replicated across the country to make generalizations about the two types of programs--privately operated and publicly operated.
Appendix A

HSIRB Letter of Approval
Date: January 31, 1990
To: Sudipta Roy
From: Mary Anne Bunda, Chair

This letter will serve as confirmation that your research protocol, "Public v. Private Operation: A Comparison of Three Juvenile Restitution Programs - Elkhart County, Indiana and Kalamazoo County, Michigan", has been approved as expedited by the HSIRB. The conditions and duration of this approval are specified in the Policies of Western Michigan University. You may now begin to implement the research as described in the approval application.

You must seek reapproval for any change in this design. You must also seek reapproval if the project extends beyond the termination date.

The Board wishes you success in the pursuit of your research goals.

xc: P. Friday, Sociology

HSIRB Project Number 89-11-27

Approval Termination January 31, 1991
Appendix B
Instrument
INSTRUMENT

4. D.O.B.__________  5. Age____
6. Grade in school____________________
7. Type of damage incurred through offense:
   1. ________________________ Damage more than $100
   2. ________________________ Damage less than $100
8. Date assigned to Restitution____________________
9. Date discharged from Restitution____________________
10. Total number of days in Restitution____________________
11. Parental status (subject living with)
   1. _____ Both natural parents
   2. _____ Single natural father
   3. _____ Single natural mother
   4. _____ Mother/step-father
   5. _____ Father/step-mother
   6. _____ Relatives
   7. _____ Single step-parent
   8. _____ Other (e.g., foster parent)
12. Total damage in dollar amount____________________
13. Restitution amount required____________________
14. Restitution amount paid____________________
15. Difference between amount required and amount paid
   1. _____ Yes
   0. _____ No
16. Dollar amount of the difference (from 14 and 15) ________
17. Community work hours required ____________
18. Community work hours completed ____________
19. Difference between hours required and hours completed
   1. _____ Yes
   0. _____ No
20. Difference in number of hours (from 18 and 19) ________
21. Substance abuse (offender)  
   1. ______ Yes 
   0. _____ Not Noted 

22. Substance abuse (parents)  
   1. ______ Yes 
   0. _____ Not Noted 

23. Criminal record of family members  
   1. ______ Yes 
   0. _____ Not Noted 

24. Prior criminal record of the offender  
   1. ______ Yes 
   0. _____ No 

25. If prior, number of police contacts ________

26. Prior diversion involvement of the offender  
   1. ______ Yes 
   0. _____ No 

27. Prior detention of the offender  
   1. ______ Yes 
   0. _____ No 

28. Age at first police complaint________

29. Offense category number (for which assigned to restitution)  
   1. _______
   2. _______
   3. _______
   4. _______
   5. _______
   6. _______
   7. _______
   8. _______

30. Offense history DURING Restitution:

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31. Total number of offenses During Restitution _______
32. Offense category number (for offenses during restitution):
   1. 
   2. 
   3. 
   4. 
   5. 
   6. 
   7. 
   8. 

33. Offense history SUBSEQUENT TO COMPLETION of Restitution:

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<th>Crime Date</th>
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34. Total number of offenses after completion of restitution ______

35. Offense category number (for offenses after the completion of restitution):
   1. 
   2. 
   3. 
   4. 
   5. 
   6. 
   7. 
   8. 

36. Completion of Restitution: 1. ______ Success
                               0. ______ Failure

37. Alternatives for unsuccessful cases:
   1. ______ Closed
   2. ______ Youth Diversion Program
   3. ______ Formal court order

38. Reasons for failure:
   1. ______ Offender did not comply
   2. ______ Offender absconded
   3. ______ Victim unwilling

39. County of Restitution Program:
   1. ______ Kalamazoo
   2. ______ Elkhart

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BIBLIOGRAPHY


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