

6-7-88

109470

U.S. Department of Justice
National Institute of Justice

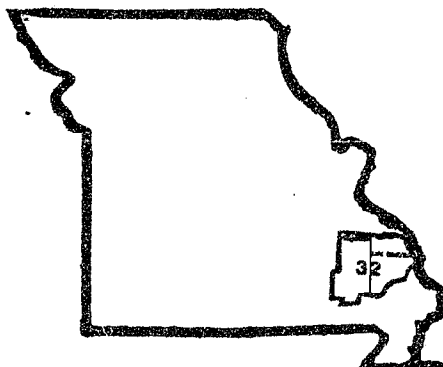
109470

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by
Missouri Juvenile Justice Association

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.



PROGRAM

HIGHLIGHT

*A Review Of Successful Juvenile Justice
Programs In Missouri*

OPERATION PAYBACK

Cape Girardeau County
Juvenile Court Restitution Program CJRS

MAR 7 1988

INTRODUCTION

For years the Juvenile Justice System has searched for and experimented with programs that would be of benefit in working with those youth coming before them. Numerous programs and alternatives have been developed and implemented, many with varying degrees of success and/or effectiveness. One program that has shown great promise and has been met with enthusiasm by both Courts and the community is restitution.

Restitution programs take many forms and have numerous and varying goals that guide their operation. The most common philosophy behind programs is accountability with rehabilitation and victim relief also being common goals. Restitution can be used both formally and informally at varying stages throughout the Juvenile Court process; preadjudication (di-

version), postadjudication (probation), and in conjunction with institutional commitment. This makes restitution a very versatile alternative that can be implemented in almost any jurisdiction, adaptable to any philosophy.

During the last ten years, restitution, as a dispositional alternative, has become increasingly popular in Missouri. A 1987 survey of Juvenile Courts in Missouri showed 14 Circuits with active restitution programs. It is also a good bet that the payment of restitution is a common component of most jurisdictions' dispositional orders. The legislature's recent amendment of Section 211.083 RSMo. providing some immunity from liability in using restitution with informal supervision should only increase its use.

ACQUISITIONS

While the establishment of a restitution program is not the solution to every Court's needs, if run properly it can be a valuable alternative in meeting the needs of youth referred to the system. Additionally, it can also help to meet the needs of the community and specifically those victims of juvenile crime. One such program is currently operating in Cape Girardeau, Missouri.

Community Service Restitution involves the offender making restitution to a more symbolic "victim" - the community. Community Service restitution provides a consequence for the youth's behavior while also performing a service to the community.

PROGRAM OBJECTIVES

OPERATION PAYBACK

In August, 1985 the 32nd Judicial Circuit Juvenile Court in Cape Girardeau, Missouri established their first restitution program. When first established, the main purpose of the program was simply to provide an alternative to out of home placement of juveniles referred to the Court. Since that time the program has grown and expanded not only in the number of children it serves but also in the way it serves them.

Operation Payback employs two types of restitution services, Victim/Monetary Restitution (V.M.R.) and Community Service Restitution (C.S.R.).

Victim/Monetary Restitution provides for payment by the offender to the victim for all or part of their loss resulting from the delinquent act. Offenders repay the victim monetarily or by working for the victim, providing a service of equivalent value. Victim/Monetary Restitution draws a direct link between the money being paid or work being performed by the offender and the person that was victimized.

...To reduce recidivism for those youth referred to the restitution program;

...To provide victims full or partial recovery of their losses;

...To provide the offender with an awareness of their individual responsibility to the victim and or community - accountability;

...To provide a sense of loss recovery to the community who often sees itself as the victim of crime;

...To promote victim and community involvement in offender rehabilitation; and

...To increase the victim's and community's level of confidence in the Juvenile Court and the role they play in the community.

REFERRALS

Referrals to the program are either court ordered or on a voluntary basis as a condition of

informal supervision. Males and females between the ages of 12 and 17 that have committed an act of property damage or bodily injury participant in the program as long as they have no physical or emotional handicaps that would limit their success.

Staff investigate each referral for their willingness and ability to successfully complete the program. Juveniles determined to be program-suited are assigned to a program orientation session. Upon orientation each youth is assigned to a work site. All youth are supervised by an adult while participating in the program.

Youth making monetary restitution are credited an hourly wage that is placed in an account to be paid out to the victim. Youth assigned community service work receive no wages for the hours they work. A Community Service Restitution Behavior Grid (shown below) is used to determine the number of hours assigned youth performing community service work.

Community Service Restitution
Behavior Grid

Assignment of CSA hours	Minimum community service (24-50 hours)	Moderate community service (51-100 hours)	Maximum community service (101-150 hours)
Maximum assigned	50 hours	100 hours	150 hours
In school full-time	-4 hours	-5 hours	-5 hours
Working	-4 hours	-5 hours	-10 hours
Extra-curricular activities-- includes sports, counseling, etc.	-4 hours	-5 hours	-5 hours
No prior record	-4 hours	-10 hours	-15 hours
All of the above	-4 hours	-5 hours	-10 hours
Total CSA hours			

This behavior grid has been developed to help determine the number of Community Service Restitution hours appropriate for each client. The Probation Officer is instructed to start with the appropriate maximum number of hours and subtract hours for exhibited positive behavior:

- Minimum Community Service should be used for youth on informal adjustment or 6-month probation.
- Moderate Community Service should be used for youth ages 12 to 16 years on 1-year probation.
- Maximum Community Service should be used for youth ages 15 to 17 years on 1-year probation or suspended commitment.

While participating in the program, a youth's school and probation adjustment are monitored by program staff. Detailed records are maintained on each youth's work performance which includes attitude, initiative, dependability, safety, etc. Once the youth has completed the specified number of hours ordered by the Court, they are terminated from the program with a positive recommendation.

EVALUATION

Since July of 1986 274 youth have successfully completed the Operation Payback Program. During that period of time a total of 3,809 hours of community service work has been completed in the community. That is the equivalent of 95 weeks of full time employment or almost 2 full time employees that have been contributed to the community through the program. In addition \$22,599.08 in restitution has been collected and paid back to victims who in many instances may have not been able to recover any of their losses.

Another benefit of the program that is hard to quantify but very important is the development of positive community relations. Operation Payback has provided the Court with positive media attention that promotes the activities of the Court and also builds community support for their efforts.

NOTE.....

There are several excellent restitution programs operating in Missouri's Juvenile Courts. Unfortunately, there are a large number of Courts operating without programs, or with less than effective programs. Two common components that always exist in successful programs are good planning and dedicated administration. With a minimal amount of forethought and a commitment to ongoing management, any Court can operate an effective program.

Courts with an interest in starting a restitution program, or upgrading an existing program, have a number of options available to them. Courts with successful programs are almost always willing to pass along their experience and

expertise in helping other Courts duplicate their program. RESTTA (Restitution Education Specialized Education and Technical Assistance) Program provides local Courts with technical assistance as well as providing training resources. Missouri Juvenile Justice Association and the Department of Public Safety and State Advisory Group on Juvenile Justice and Delinquency Prevention will also be providing technical assistance and training to local Courts in the operation of these programs.

Restitution can be an effective dispositional option for juvenile offenders and a successful program for Juvenile Courts. For more information on restitution programs, feel free to contact the Missouri Juvenile Justice Association, P.O. Box 1332, Jefferson City, MO 65102 Telephone: (314) 636-6101.

Missouri Juvenile Justice Association
P. O. Box 1332
Jefferson City, MO 65102



3H

NCJRS
Box 6000
Rockville, MD 20850
Attn: Teresa Turner