

GRANT No. 74-0F-07-0006-02

FINAL REPORT  
EVALUATION



VICTIM  
RESTITUTION




ASSESSMENT OF THE RESTITUTION IN PROBATION EXPERIMENT  
FIFTH JUDICIAL DEPARTMENT OF COURT SERVICES  
POLK COUNTY, IOWA

Roger O. Steggerda  
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December 1975

POLK COUNTY DEPARTMENT OF PROGRAM EVALUATION

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## VICTIM RESTITUTION—

AN ASSESSMENT OF THE RESTITUTION IN PROBATION  
EXPERIMENT OPERATED BY THE FIFTH JUDICIAL DIS-  
TRICT DEPARTMENT OF COURT SERVICES - POLK  
COUNTY, IOWA

This effort was conducted and the report pro-  
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December 1975

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## I. THE RESTITUTION ISSUE

### History of Restitution

Restitution restores to the victim of crime the object or value which has been damaged, destroyed or stolen. Restitution developed from a social perception that an offender is responsible for the "correction" of the damage resulting from his acts. As such, there are three parties involved in restitution: the offender, the victim, and the community.

The rights and responsibilities of these parties provide various interdependent relationships. The offender has an obligation to provide restitution either to the victim directly or to the community which has compensated the victim. The community has a responsibility to provide a safe environment for its citizens. To many, this responsibility extends not only to the punishment or rehabilitation of the offender but also to the compensation of the victim for his loss. The victim, correspondingly, has the expectation of a peaceful and safe living environment, which, if violated, includes an expectation of some satisfaction for his loss.

The procedures whereby losses incurred by victims have been restored traditionally have been restitution and compensation. Whereas restitution has focused upon the responsibility of the offender, compensation places major responsibility for restoration of damage upon society as a

whole. Restitution involves restoration of loss to the victim by the offender, while compensation provides for such restoration by funds administered by the state.

The historical development of restitution reflects changing theory and practice relative to the rights and responsibilities of the victim, the offender, and society. There is some evidence of the existence of restitution in Greek civilization during the period of Homer (850 B.C.). In his writing, he refers to the "death fine" - a price that was set to make reparation to the relatives of the deceased. When this price was accepted by the relatives, and received by them from the offender, the offender was again free to live in society. Emphasized in the death fine is not only the responsibility of the offender to make reparation, but also the necessity of acceptance by the victim.

Earlier evidence of restitution is found in the Mosaic Dispensation of the Hebrews, where reparation was the principal--and often the only--element of punishment. The death fine existed among the Semitic Nations and the Turkish Empire, and in India a form of restitution developed in which not only the relatives of the deceased but also the king were recipients of reparation. The Code of Hammurabi contains the earliest reference to restitution (20th Century, B.C.). Restitution during this period was very severe, with a punitive rather than a compensatory tone.

Found among the German Common Laws of the Middle Ages is the system of "composition." During this period, restitution was perceived to be closely related to punishment. In response to offenses of various types, feuds often developed between families. Offenses brought retaliation, and perpetual vendettas resulted from the additional bloodshed. Composition became an established alternative, combining punishment with damages in a mutual settlement. Using the composition procedure, the offender made an offer of money or some other economic value to the victim. If this offer was accepted, the debt was considered paid. Initially, all of the money went to the victim. Agreements were highly subject to private compromise, and were often difficult or impossible to reach. The community began to exercise control over this system by establishing acceptable amounts for various types of victims and crimes. Eventually the community began to claim a portion of the restitution for its role in the conciliation. As this involvement grew, a split restitution system evolved, with one part paid to the victim as reparation and another part paid to the community as punishment. Gradually, the state began to absorb the entire amount in fines, leaving the victim to seek recourse outside the settlement of the offense. By the Sixteenth Century, this change had been internalized by most of society, as indicated by Sir Thomas More in Utopia when he posited that restitution should go "to the right owner, and not, as they do in other lands, to the king."

Thus, the practice of restitution all but disappeared, with society generally holding the view that a crime is an offense against society, and that violation of individual rights of victims should be redressed, as torts, through civil action.

Various attempts have been made during following centuries to revive the practice of restitution. These attempts have not been successful to any broad extent. With few systematic exceptions, little connection exists today between the prosecution of violated state law and reparation to the violated victim.

#### Potential Benefits of Restitution

Contemporary restitution efforts and advocacy demonstrate divergent impressions of the purposes of restitution. For some proponents, restitution in and of itself constitutes a program of rehabilitation for convicted offenders. For others, restitution is primarily punitive, with the amount of suggested restitution sometimes double or triple the actual damages. Some believe that restitution is directed at both rehabilitation and punishment. And with the emerging emphasis upon victim rights, others hold that restitution is a just expectation of the victim, irrespective of its effects upon the offender.

Restitution is a method of integrating the recovery of damages inflicted by a criminal act (usually accomplished through civil court proceedings) and the attempt of the crimi-

nal justice system to correct the offender. It is a somewhat more positive (and, therefore, according to its proponents, a potentially more effective) corrective tool than others in the sense that restitution is something which the convicted offender performs and takes responsibility for rather than something which is inflicted upon him.

From a correctional perspective, restitution can facilitate the internalization of responsibility for criminal action by the offender, and provides a systematic method whereby the offender can take responsibility for correcting the damages of his actions. Presumably, the associated feelings of guilt are also alleviated.

Relationships between the criminal justice system and the community can also improve as a result of restitution. Through restitution, the victim can derive some moral satisfaction that the offender is punished and that the concern of the criminal justice system includes the victim as well as the offender. Beyond this moral satisfaction, however, is the potential benefit that accrues to society through the greater awareness on the part of the victim of the operations of the criminal justice system. Through involvement in the proceedings of the system, the victim gains a perspective of the functioning of the system as well as of the offender and the circumstances which may have led to the criminal action.

The system itself can also benefit from restitution. Through it, the time-consuming and costly duplication of court proceedings--civil and criminal--can be reduced. Not only would such a reduction save considerable time and expense, but the possibility of contradictory findings by separate courts would be reduced as well.

#### Potential Hazards

Restitution is not without disadvantages. The development and administration of a restitution plan is often very time-consuming, not only for probation or parole officers, but also for judges, Court Clerks, Friends of Court, and others. Partially as a result of the extensive time necessary to administer restitution, but also as a result of a sometimes over-zealous belief that restitution by itself comprises a total correctional program, strong focus is often placed upon restitution at the expense of other correctional services and programs. As such, restitution can become systematically legitimized, in practice, as not only a necessary but also a sufficient condition of correction.

The administration of restitution also presumes an expertise among probation officers that is often unrealistic. To skillfully develop and administer a restitution plan requires, among other things, that values for damages be determined accurately and satisfactorily and that personal finances and budgets of the offender be well-understood.

planned, and managed. Many probation and parole officers lack the necessary background and commitment to perform these tasks.

In addition, restitution sometimes can create or intensify feelings of unfairness, bitterness, and powerlessness among both victim and offender. Strong animosity can develop, for example, in the determination of the actual amount of damage to be repaid. Offenders sometimes hold the belief that they are being unfairly dealt with, particularly in situations of double reimbursement of the victim, demands for full repayment by insurance companies without reimbursement of salvage value of damaged property, and so forth. In many cases, this indignation of the offender is well-justified.

Finally, a legal question can exist with regard to the requirement of restitution. In many jurisdictions, incarceration is the alternative to restitution, and in most jurisdictions, failure to make required restitution can result in revocation of probation, followed by incarceration. In either case, incarceration can be based upon inability to pay, a practice which recent case law suggests is of questionable constitutionality.

#### The Restitution in Probation Experiment

A growing re-emphasis in the United States upon restitution as a legitimate and valuable correctional objective has had a corresponding interest in the State of Iowa which resulted in the passage of Senate File 26 (Iowa Code, Section



204). This legislation legalized deferred sentencing, established conditions for probation, provided for pre-sentence investigations in all felony cases, and established a state policy...

that restitution be made by each violator of the criminal laws to the victims of his criminal activities to the extent that the violator is reasonably able to do so.

The law requires that restitution be a condition for disposition of either deferred prosecution or probation, and requires also that formal plans of restitution be developed promptly which include "a specific amount of restitution to each victim and a schedule of restitution payments."

In response to the passage of the Senate File 26 in 1974, the Restitution in Probation Experiment was created through the Metropolitan Criminal Justice Center of Drake University, using grant funds from the Law Enforcement Assistance Administration. To operate through the Fifth Judicial District Department of Court Services, the project was patterned after the program of the Minnesota Restitution Center. Like the Minnesota Program, this project provided for development and administration of restitution plans based upon face-to-face meetings of client (offender) and victim. Unlike the Minnesota program, it functions with clients prior to, rather than following, incarceration, and is primarily a non-residential, rather than a residential or institutional, program.

The project proposal contains a description of the overall project design and intended operations, as follows:

"The Restitution in Probation Experiment (RIPE) will be set up within the regular probation setting of the Department of Court Services, with two new probation officers and regular probation officers all handling standard caseloads, a portion of which would be assigned to the restitution project. Additionally, one counselor at the Fort Des Moines Facility and one counselor at the Women's Residential Facility will be given responsibility for residents who are supplying restitution.

Subjects selected for the experimental group, as well as those in the control group, will be handled in a standard caseload, as is the case at the present time.

The rationale for including the experimental group in a standard probation caseload involves the belief that setting up a specific project--separate and apart from the regular functions of the probation department and the two residential facilities--would result in an unrealistic assessment of whether a restitution project of this sort is feasible within a setting such as that of the Department of Court Services. Given a completely separate project, one would not be testing the validity of the project per se within Department's framework, but rather the effect of having restitution - in supplying offenders handled within the small caseload of a counselor supervising only one type of client. Given that sort of operation, the 'Hawthorne Effect' could very well come into play, and any results might be more due to the project's existence rather than its operational validity. Furthermore, it will be of greater utility to ascertain whether a project such as the proposed program can function effectively within a probation and residential corrections setting than to determine its validity as special project.

As would be expected with such a design, staff selected for the project will be chosen on the same basis as other staff hired by the Department; i.e., on the basis of ability to work

effectively with victims, offenders, and other employees of the Department. Although the individuals retained for the project will have received or will receive the same in-service training supplied to all members of the Department of Court Services, no special training is included in this application. While there are special skills which will be necessary for counselors working in the program to possess, i.e., how to work with victims of criminal activity and how to successfully coordinate meetings of the victim and the offender, it appears that most of the skills needed for program operatives would be developed in the course of handling a standard probation caseload or working in a residential facility. Even though there are unique aspects to this program which would not be encountered in a standard correctional setting, it is anticipated the counselors will need no special training in handling these situations.

When offenders sentenced in the District Court of Iowa receive suspended or deferred sentences--which may involve supervision by a probation department or institutionalization in a residential facility--one responsibility of the supervising agency is the development of a restitution plan. In the process of developing that restitution plan, the staffs of the Probation Department, Fort Des Moines Facility, and Women's Facility of the Department of Court Services will determine the following information:

- 1) whether the client may appropriately supply restitution to his or her victim; and
- 2) whether the victims of the clients would willingly participate in several face-to-face meetings with the offender, the judge, and the counselor in the process of the experimental program.

After determining this information, the counselor will report to his immediate supervisor (the probation supervisor or the caseload supervisor of either the two facilities) and indicate whether the client is an appropriate candidate for inclusion within the experimental project. The supervisor, in turn, will be in regular contact with the project evaluator and, with the evaluator,

will be responsible for assigning clients to the program or to the control group. Control group clients will be handled either without supplying restitution or in the same manner that restitution clients have been handled within the last two years by the Department of Court Services.

Once a client is assigned to the experimental group, the offender, victim, and probation officer will, as a group, submit the restitution plan to the judge. This meeting will ordinarily constitute the first face-to-face meeting between the offender and his victim. During this meeting the judge will determine whether or not the restitution plan is acceptable to himself, the offender, the victim, and the probation officer. Should the plan be acceptable to all concerned, the judge will approve same and the offender and victim will sign a "contract" attesting to their agreement.

The counselor and offender will subsequently be involved in the regular meetings which typify the probation and incarceration systems. Officers may require regular contacts as they see fit. Offenders housed in one of the two facilities, of course, will be in much more frequent contact with their counselors than will be the case with offenders being handled by the probation department. The counselor, in addition to requiring regular contacts with the offender, will make arrangement for periodic face-to-face sessions involving both the victim and the offender, either to directly pay restitution to the victim, to amend the contract between the victim and the offender, or to discuss any unexpected changes in restitution plans.

With those program participants incarcerated in the residential facilities of the Department of Court Services, it will be possible to continue in the program following incarceration, on a probation basis. In this instance, an offender, once he or she has gained maximum benefits from institutionalization, will be transferred to the probation staff for further correctional intervention. Although such a transfer might involve a change in the counselor working with the offender, it will not disrupt the progress of the program, as an offender will be able to continue making restitution while on probation.

Once a client has successfully completed the probation or incarceration contract, he or she will be discharged from the program. Rather than using the standard administrative procedure in discharging clients, however, RIPE will include a final face-to-face meeting among the victim, offender, probation officer, and judge. Not only will this meeting signify the end of the probationary period, it will signify the fulfillment of the offender's obligation to the court system and to his victim. It is an effort, as well, to attach as much significance to the termination of probation as to the initial sentencing process itself. Such a procedure may possibly engender within the offender a greater sense of accomplishment and self-esteem in completing his obligation.

Operation of the Restitution in Probation Experiment, involving the Probation Department, Fort Des Moines Facility and New Women's Facility, should enhance the already well-coordinated community-based corrections effort of the Department of Court Services. The Department, as noted by the National Institute of Law Enforcement and Criminal Justice, already exemplifies an integrated community-based corrections effort. The operation of the Restitution in Probation Experiment, however, will add to the diverse alternatives now available within the Department of Court Services, and will ensure an even stronger working relationship between the Probation Department and the facilities of the Department of Court Services.

Inclusion of this project within a coordinated community-based corrections system constitutes another unique aspect of the Restitution in Probation Experiment. The Minnesota Restitution Center--the only other known program of this type--is not integrated within a community-based corrections setting. Thus, in addition to the other experimental aspects of this project is the aspect of attempting this program within the framework of a coordinated community-based corrections system. No other similar type of program exists."

As indicated, the project was designed as an experiment, with the project operations and the evaluation rather

closely related. Seldom are projects implemented, managed, or evaluated exactly as proposed. In the case of this project, practical and conceptual issues led to some alterations in the design of both the project operations and the evaluation.

## II. THE EVALUATION: IMPLEMENTATION, DESIGN AND LIMITATIONS

### IMPLEMENTATION OF THE EVALUATION

During the fall of 1974, the Polk County Board of Supervisors determined that a number of project evaluations should be combined in a single evaluation effort to maximize the efficiency of data collection and the quality of the final work products. Accordingly, the evaluation funds from five separate projects were combined, and proposals were requested from private evaluation contractors.

Subsequent to the receipt of several proposals, however, the Iowa Crime Commission (the State Planning Agency for LEAA) rejected both the concept of combining the evaluations and the procedures followed by Polk County in acquiring bids. Further, the commission staff ultimately denied funding for one project which was to have been included in the joint evaluation effort.

Late in 1974, the Polk County Board of Supervisors negotiated an evaluation contract for one project with one of the firms which had submitted a proposal for the joint evaluation. Another of the projects was funded without an evaluation component.

In January, 1975, the Board of Supervisors created a Department of Program Evaluation, directly responsible to the Board. Financed by the evaluation funds of the two remaining projects, the Department was created to operate

only during the period from February - August, 1975. The sole responsibilities of the Department of Program Evaluation have been the evaluations of the Improved Charge Analysis Project (administered and operated by the Office of the County Attorney) and the Restitution in Probation Experiment, operated by the Probation Unit of the Fifth Judicial District Department of Court Services.

The delay in the implementation of the evaluations had some important effects. The late evaluation start created serious problems relating to the completion of evaluation work in advance of new funding decisions. The Improved Charge Analysis Project was terminated, as scheduled, at the end of June, 1975. Although an oral presentation was made by evaluation staff to the Board of Supervisors during June, the full evaluation report on that project was not presented until August.

The coordination of the timing of the Restitution in Probation Experiment and its evaluation was improved when decisions were made to extend the project through December, 1975, and to extend the evaluation effort through November.

### DESIGN OF THE EVALUATION

The initial work of the Department of Program Evaluation involved the normal "starting-up" procedures as well as the designs for the evaluations of both the Improved Charge Analysis Project and the Restitution in Probation Experiment. The design of the evaluation of the restitution project in-

involved acquisition and review of substantive materials relating to restitution in general, as well as specific materials relating to restitution projects operating in other areas. Several preliminary meetings were held with the Director of Court Services and the Supervisor of the Probation Unit to determine the procedures to be followed by the project and to determine the major evaluation questions to be addressed.

The evaluation necessarily was designed to reflect actual project operational conditions. The late project implementation, the anticipated scope of the project, and certain basic theoretical issues made it impossible to adhere strictly to the general evaluation design presented in the project proposal.

The project proposal called for the measurement of several evaluation criteria, including

- "subsequent recidivism of offenders"
- "cost-effectiveness of the program"
- "restitution supplied to victims"
- various attitudinal measures for both victims and offenders.

Further, a rather elaborate plan for the development of experimental and control groups was proposed to facilitate a statistically valid assessment of the relative effectiveness of the primary project treatment variable, that is, face-to-face meetings of victim and offender.

Correctional effectiveness (absence of recidivism) is regarded to be the ultimate objective of any correctional program. Measurement of recidivism as an effectiveness criterion is of limited value, however, in any short-term evaluation of the first year of the operation of a new project. Its value in this evaluation is further limited by the late implementation of the project and by the duration of restitution plans. It was evident that very few clients would complete restitution payment and complete probation in sufficient time to be arrested and convicted for new offenses prior to the termination of the project evaluation.

Cost-effectiveness likewise was viewed as having limited value as a primary criterion in this evaluation. Without definitive findings relating to effectiveness--including ultimate correctional effectiveness--potential for valid assessment of cost-effectiveness is absent.

The assessment of attitudinal changes among offenders and victims was neither possible nor warranted. Attitudinal change is seldom--if ever--an appropriate criterion in the determination of program effectiveness. Measurement of attitudes for evaluation purposes is of value only in the sense that attitudes have potential behavior implications. Attitudinal changes are often taken to imply probable changes in future behavior, and actual behavior which presumably is to be affected by the changed attitudes is seldom measured.

Further, comparison and control groups as planned were systematically biased as well as unrealistic from the standpoint of program operation. The law (Senate File 26), in requiring restitution in all qualified cases, made it illegal to create legitimately comparable restitution and non-restitution groups. Among those for whom restitution would be required, victim preferences, late implementation, and the need to involve a large number of persons in the primary treatment group made it impossible to establish statistically valid control groups for each level of victim involvement in the restitution process.

The design of the evaluation was accomplished with the awareness that the Restitution in Probation Experiment and the application of Senate File 26 were occurring nearly simultaneously. Considerable impact upon the Department was anticipated for mandatory pre-sentence investigations and restitution plans in addition to the project activities. Further, the project was based upon preliminary interpretations of the new law--interpretations which have been subject to change as a result of growing experience.

As a consequence, the need was evident to examine not only the effects of the project but also the overall application of the restitution law within the Department. Many questions were raised which appeared to merit inclusion in the design of the study. Ultimately, it was determined that the evaluation of the restitution project should produce the following:

Description of the design and implementation of plans for administering all restitution needs, including the special project.

Assessment of operational impact, including time needs, number of cases, number of victims, increased levels of restitution, etc.

Description of victims and offenses.

Determination of immediate project effects, including cooperation of client and victim, restitution payment regularity, etc.

Identification of counselor perceptions of the project.

Estimation of cost implications of restitution and project.

To facilitate the accomplishment of these tasks, data were collected relating to all of the Department of Court Services cases which involved restitution. Comparisons were planned among all "restitution clients," based upon the extent to which the victims were involved in the development and administration of the restitution plans.

Data were collected for all Department of Court Services clients for whom a restitution plan was developed and implemented from July 1, 1974 - November 1, 1975. Data collection activities were initiated in April, 1975, and were accomplished by means of several codesheets. (These codesheets are reproduced in the Appendix of this report.) Two of the codesheets are part of the data collection system for the evaluation of adult corrections throughout the State of Iowa, and provide information relating to client characteristics and correctional program outcome for each client. Two codesheets were developed specifically for use in the evaluation of this project. The first of these is completed when a restitution plan has been developed, and provides information about the restitution plan, the victim, and the process followed in plan development. The other codesheet is completed when the restitution plan is fulfilled or otherwise terminated, and indicates client performance and other data.

Data collection procedures were developed and were coordinated with program staff through the newly designated restitution monitor for the Department of Court Services.

Essentially the completion of data collection instruments was the responsibility of program staff, with evaluation staff providing support and consultation, as well as performing evaluation tasks not directly related to the completion of codesheets. As it turned out, however, much was

done by program staff only with the direct involvement of evaluation staff. This was a particularly severe problem during the last three months of the data collection (normally the busiest time) when several positions were vacant in the Probation Unit. Further, some misunderstanding existed with regard to data collection responsibilities of staff in the other units of the Department. Again, the most practical solution was for evaluation staff to take responsibility for much of the work.

As data were collected, codesheets were edited to detect possible errors and were returned to the relevant unit or staff person for verification. Final editing of the data was accomplished by mid-November, and data were analysed in preparation for the report.

#### Limitations of the Evaluation

The findings in the evaluation of the Restitution in Probation Experiment cannot be considered to be definitive. Many factors limited the evaluation, both in its design and in its implementation. Several factors outside the control of the evaluation unit carried serious implications for the potential of the evaluation.

One of the most important of these factors was the late implementation of the project. Although the project officially began in September, 1974, and project personnel were employed in November, no apparent effort was made to implement the project activities until March or April, 1975.

In part, the late implementation of the project was due to a desire of the administrators to wait until an evaluation was designed. The evaluation unit was created in February, 1975, preventing any evaluation activities from beginning before early April. Further, the funding of the evaluation was somewhat limited. Funding levels did permit some activity over a fairly lengthy period, but did not permit the kind of concentrated attention to the project that may have been helpful.

These factors affected the evaluation in various ways. The evaluation design itself was limited in scope. The range of information which could be obtained was constrained by the time period. For example, the effects of project activities upon future criminal behavior could not be addressed by the evaluation. The population reached by the project was also limited, due to the late implementation of the project. Affected were not only the numbers of clients involved, but also the potential for developing and maintaining adequate control and comparison groups.

Also limiting both the operation of the project and the evaluation was the relative lack of knowledge about restitution. The concept of restitution has become fairly popular recently, and is generally understood. However, little is known regarding its practical application, its main effects, and its side effects.

Data collection efforts were also affected by these factors. Attention was given by program staff to implementing

project activities, but the needs for evaluation were not well-communicated among staff, and a reluctance existed among most staff members to fulfill evaluation responsibilities without some prodding by evaluation staff. This problem was intensified by the need for increased levels of counselor performance and by the occurrence of several vacancies within the Department.

Within the constraints posed by the limitations identified here, however, the data collected is sufficiently comprehensive and accurate to allow a fairly good description of restitution practices within the Department, identification of some of the implications of the implementation of Senate File 26, and assessment of some of the effects of the activities generated through the Restitution in Probation Experiment.



### III. EVALUATION RESULTS

The Restitution in Probation Experiment was designed in early 1974, principally by the Metropolitan Criminal Justice Center of Drake University. Most of the work in the design and development of the project was conducted by a staff member of that office, whose primary departmental contact in developing the project was the Supervisor of the Probation Unit, who left that position prior to project implementation.

The project was not developed as a result of crucial problems or needs identified and experienced by Department personnel. Rather, consistent with the mission of the Metropolitan Criminal Justice Center, it was developed as an innovative strategy for meeting the probable future needs posed by the requirement for implementation of Senate File 26. Reportedly, one important motive for the development of the project was to facilitate the expenditure of available LEAA dollars.

The design and development of the project occurred without broad staff initiative. Neither staff nor administrative and management personnel appeared to possess the strong commitment to project objectives that is imperative for the success of a new program. The principal objective of the Department of Court Services in consenting to operationalize the project appears to have been the acquisition of additional staff.

Two probation officers were hired under the project during late fall, 1974 - one as a new employee, the other a transfer from another unit within the Department. During that time, the Polk County Board of Supervisors was contemplating that the evaluation of the project would be conducted in combination with several other projects. Administrative personnel within the Department of Court Services delayed immediate implementation of the project to enable its implementation to be coordinated with the evaluation.

A series of complications prevented the evaluation from being initiated until February, 1975, when the Department of Program Evaluation was created. Evaluation design work was conducted during February and March and the first meeting of a victim and offender under the project design occurred in April.

To coordinate the restitution tasks within the Department of Court Services, an experienced probation officer was designated Restitution Monitor. Procedures were developed to manage the restitution process efficiently, in compliance with the requirements of the law. As clients are assigned to the Department of Court Services, a determination is made relating to whether or not restitution is required or otherwise subject to the application of Senate File 26. In some cases, judges have specified an amount of restitution to be paid; in others, the sentencing judge has ordered restitution without specifying any amount; in

yet other cases, the law is applicable despite the absence of any reference to restitution in the sentence.

The case is then assigned to a probation officer or counselor, who is responsible for developing a plan of restitution. If the amount of restitution has not been specified, the victim (or victims) is contacted, and the amount of the damage is determined. Based upon the status of the client, and with the involvement of the client, a plan of restitution is developed. For large amounts of restitution, a formal plan is developed and presented to the court for approval. When the amount of restitution is small, reparation is made immediately and the court notified that restitution has been paid.

#### The Restitution Process

During the period from July 1, 1974 to November 1, 1975, a total of 102 Department of Court Services clients had made restitution or were fulfilling an approved plan of restitution to 374 victims, as indicated in Table 1.

TABLE 1  
RESTITUTION CASELOAD

	<u>Number of Clients</u>	<u>Number of Victims</u>
Current cases	61	251
Completed cases	41	123

For cases currently in progress, there was an average of slightly more than four victims for each client, while there were three victims per client, on an average for completed cases. Most of the cases were in the Probation Unit of the Department.

TABLE 2  
RESTITUTION CASELOAD OF EACH  
UNIT OF THE DEPARTMENT OF COURT SERVICES

	<u>Current Cases</u>		<u>Completed Cases</u>	
	<u>Clients</u>	<u>Victims</u>	<u>Clients</u>	<u>Victims</u>
Probation	44	194	29	80
Ft. Des Moines (Residential Corrections-Men)	15	54	5	8
Women's Residence	1	2	5	18
*Central Iowa Alcoholism Center	1	1	2	17

\*The Central Iowa Alcoholism Center is not a unit of the Department of Court Services. These cases are included by virtue of a project operated in coordination with both agencies.

Approximately 71% of all restitution cases and 73% of all victims involved with these cases are represented by clients of the Probation Unit of the Department of Court Services. By comparison, approximately 85% of all convicted clients are assigned to the Probation Unit.

Senate File 26 was passed by the Iowa General Assembly during the 1974 session. While its provisions were made retroactive to 1973, it was not formally implemented by the courts

in most jurisdictions until mid-1974. Table 3 indicates the levels of restitution which have been paid by the clients of the Department of Court Services during various periods from 1972-1975.

TABLE 3

AVERAGE MONTHLY RESTITUTION PAYMENTS BY ALL CLIENTS OF THE DEPARTMENT OF COURT SERVICES

	Average Monthly Restitution Payments
1972	\$ 177.37
1973	220.68
Jan.-June, 1974	1290.93
July, 1974 - March, 1975	2292.00
April-October, 1975	3171.23

Reflected in Table 3 are substantial increases in restitution payments corresponding to the application of Senate File 26 (a few months during the first half of 1974, and the period from July, 1974 to March, 1975) and to the operation of the Restitution in Probation Experiment (April-October, 1975).

The development and administration of the restitution process on a case-by-case basis has resulted in increased restitution payment. Implied by this increase is an increase also in the time spent by staff of the Department. Based upon the project design, victims were involved to various degrees during the development of restitution plans, as indicated in Table 4.

TABLE 4

DEGREE OF VICTIM INVOLVEMENT IN DEVELOPMENT OF RESTITUTION PLANS

	Number of Victims	% Of All Victims
No victim involvement	128	34.2%
Telephone contact	108	28.9%
Consultation with representative of victim (lawyer, employee, etc.)	60	16.0%
Meeting(s) of client and representative of victim	46	12.3%
Meeting(s) of client and individual victim or business proprietor	32	8.6%

Clearly, most victims (63.1%) were involved in the development of a restitution plan only to the extent of telephone conversation with the correctional officer (28.9%) or were not involved at all (34.2%). Approximately 21% of all victims were involved--either through representatives or personally--in face-to-face meetings with the client.

Because of the large number of cases with more than one victim (one bad-check case involved more than 90 victims), the information in Table 4 does not reflect accurately the involvement of clients. For any given client, the individual victims may be involved in different ways in developing the restitution plan. Table 5 records the number of clients for each level of victim involvement, categorized according to the greatest amount of involvement of any victim for each client.

TABLE 5  
NUMBER OF CLIENTS FOR EACH  
LEVEL OF VICTIM INVOLVEMENT

	Number Of Clients	% Of Clients
No victim involvement	15	14.7%
Telephone contact	22	21.6%
Consultation with representative	20	19.6%
Meeting(s) of client and representative of victim	25	24.5%
Meeting(s) of client and victim	20	19.6%

It is evident that while only 21% of all victims were involved with face-to-face meetings with clients, slightly more than 44% of all restitution clients during this period were involved in personal meetings with victims or victim representatives.

Development and administration of restitution plans involve substantial time. For the cases which were covered in the data collection, an average of approximately 10.5 hours were spent in restitution plan development and approximately 8.25 hours in administering the plan after approval. Not included in these estimates are the time expenditures of supervisory and clerical staff.

TABLE 6  
APPROXIMATE COUNSELOR TIME EXPENDITURES FOR  
DEVELOPMENT AND ADMINISTRATION OF RESTITUTION PLANS

	Average Hours For Restitution Plan Development	Average Hours For Restitution Plan Administration*	Total*
No victim involvement	5.5	12.25	17.7
Some counselor-victim contact	9.0	7.9	16.9
Victim-client meetings	13.1	7.2	20.3

\*Time estimates for plan administration includes actual reported time for completed cases and double the actual reported time spent so far for current cases.

The data contained in Table 6 indicate that victim-client meetings result in a larger expenditure of time than the other levels of victim involvement. Of particular significance is the indication that increased victim involvement results in increased time expenditures during the development of the plan, but reduced time expenditures for administration of the plan.

Due to the short-term nature of the evaluation, it was expected that more complex and larger restitution plans would remain current at the end of the data collection. Table 7 provides a comparison of the time expenditures reported for current and completed cases.

TABLE 7

COMPARISON OF COMPLETED AND CURRENT CASES FOR TIME  
EXPENDED FOR DEVELOPMENT AND ADMINISTRATION  
OF RESTITUTION PLAN

	Average Hours For Completed Cases	Estimated Average Hours For Current Cases*
No victim involvement	13.5	21.3
Some counselor- victim involvement	12.3	19.9
Victim-client meetings	7.9	29.9

\*Time estimates reached as described in Table 6.

Again, it can be observed that time spent developing and administering restitution plans without victim involvement is little different from cases in which there was some contact of the victim or representative of the victim by the counselor. This equivalence is true of both completed and current cases.

However, among current cases, it is observed that a considerably greater amount of time was spent for cases which involved face-to-face meetings of victim and client than for cases which did not.

Also of particular importance in Table 7 is the difference between current and completed cases. For all groups, the completed cases involved much less time than cases which are current. This difference is most substantial among cases which involved victim-client meetings, suggesting that completed cases in this group were probably less complex--or

easier--than the rest of the cases. If this suggestion is true, then it can also be suggested that the differences in time spent for cases involving victim-client meetings and other cases would be greater than has been observed if the cases were equivalently assigned among the groups.

Among all cases, the average restitution plan involved \$681. Completed cases averaged \$485, while the average current plan was \$812. The range of restitution amounts is quite large, with one plan calling for repayment of \$4769.

Tables 6 and 7 indicated some differences in amount of time required to manage the restitution process based upon the degree of victim involvement in the process. There appears also to be a relationship between degree of victim involvement and the amount of repayment called for by the plan.

TABLE 8

SIZE OF RESTITUTION PLANS FOR  
VARIOUS DEGREES OF VICTIM INVOLVEMENT

	Average Size of Plans		Total
	Current Plans	Completed Plans	
No victim involvement	\$ 299	\$ 343	\$ 317
Some victim-counselor contact	642	547	606
Victim-client meetings	1152	468	859

It appears that a strong relationship exists between victim involvement and the amount of the restitution plan. The fact that both time and size of plan are strongly related to victim involvement, however, may suggest instead that time and size of plan are strongly related to each other, and that amount of involvement by the victim is not strongly related to either in a causal sense.

Further, there is some evidence to suggest that time, size of plan, and victim involvement are all somewhat dependent upon the size and complexity of the case. In cases involving several victims, meetings were often held between the client and one or a few of the victims. In such a case, the client was categorized as one with whom victim-client meeting(s) occurred. Both the time involved in developing and administering the plan and the size of the plan were determined for an entire plan rather than for each victim.

As a consequence, it is possible to say that time, size of plan, and victim involvement are closely related, while it is not possible to determine precisely the properties of the relationships. The relationships between victim involvement and the times necessary for various parts of the restitution process reported in Table 6 are probably valid. Victim-client meetings appear to increase the time necessary for plan development, and to reduce time needs for administering an approved plan. However, in view of the data relating to the size of the restitution plans, it cannot be

stated devinitively that victim-client meetings result in greater time expenditures for overall plan development and administration.

Senate File 26 requires the payment of restitution to all victims to the extent that the violator is able to make restitution. No limits were placed upon the types of offenses which were subject to the law, except that misdemeanors are specifically not included. "Victim" is defined in Senate File 26, however, as "any person who has suffered pecuniary damages as a result of the defendant's criminal activities." "Pecuniary damages" specifically excludes damages for "pain, suffering, mental anguish, and loss of consortium." It was expected, therefore, that a disproportionately high number of offenders convicted of property offenses would be involved in the restitution process.

TABLE 9

COMPARISON OF RESTITUTION CLIENTS AND TOTAL CLIENT POPULATION ON THE BASIS OF OFFENSE TYPE

	All Clients (Probation)	Restitution Clients
Offenses against persons	7.8%	4.9%
Property offenses	44.2%	76.8%
Offenses against public health, peace, safety, and justice	35.7%	12.2%
Motor vehicle offenses	11.8%	4.9%
Other offenses	.5%	1.2%
	100%	100%

While property offenses account for less than half of the convicting offenses among all Probation clients, they represent more than three-fourths of the offenses for which restitution plans were developed. Offenses against persons, on the other hand, comprise approximately 15% of all criminal offenses in Polk County, 7.8% of all convicting offenses for Probation clients, and 4.9% of the convicting offenses for all clients making restitution.

Due to sentencing practices and legal definitions, the law is most directly applicable in both theory and practice to offenders convicted of property offenses.

#### The Victim

The language used by the lawlers in Senate File 26 suggest that they, like many of the proponents of restitution, have concern primarily for the individual victim of criminal offenses. Much of the argument in favor of restitution is presented with verbal pictures of the hapless victim, an individual whose economic well-being depends upon restoration of the damages of the criminal act. Occasionally, the arguments extend to the proprietor of the neighborhood grocery store or filling station, as well, but references to large retail chains or insurance companies are rare. Table 10 provides an indication of the types of victims involved in all of the restitution cases.

TABLE 10  
TYPES OF CASES AND VICTIMS  
OF ALL RESTITUTION PLANS

	Single Victim Cases		Multiple Victim Cases		Total
	Individual Victim	Business Victim	Indiv. & Business	Business Only	
Number of cases	20	54	6	22	102
Number of victims	20	54	18	271	374

The data in Table 10 reveal that a great majority of the victims were business enterprises rather than individuals. While individuals were among the victims in 26 cases (25.5% of all restitution cases), they accounted for only 10.1% of all victims. The great majority of victims (75.4%) were businesses and organizations which were part of cases involving more than one victim.

The proposal for the Restitution in Probation Experiment contained no provisions for focusing upon any specific type of victim in planning for victim involvement during the preparation of the restitution plan. Table 11 presents information which indicates the extent to which victims were involved in restitution plan development.

TABLE 11

VICTIM INVOLVEMENT IN DEVELOPMENT OF  
RESTITUTION PLANS FOR ALL CASES

	Single-Victim Cases		Multiple-Victim Cases		Total
	Individual	Business	Individual & Business	Business Only	
No victim involvement	4	8	1	2	15
Some counselor-victim contact	9	23	3	7	42
Victim-client meetings	7	23	2	13	45

Developing percentages from the data contained in Table 11, it is possible to observe that victim-client meetings were held in 34.6% of all cases in which individual victims were involved, compared to 46.3% of all cases in which businesses were involved as victims. Victim-client meetings were held in 59% of the cases which involved more than one business victim. Meetings of clients and individual victims accounted for 20% of all victim-client meetings, and comprised 8.8% of the total restitution caseload.

When victims are analysed specifically, without reference to the cases of which they were a part, the differences between individual and business victims are increased. Table 12 provides a breakdown of the involvement of all victims in the restitution plan development process.

TABLE 12

INVOLVEMENT OF ALL VICTIMS IN  
RESTITUTION PLAN DEVELOPMENT

	Single-Victim Cases		Multiple-Victim Cases		Total
	Individual	Business	Indiv. & Bus.	Business Only	
No victim involvement	4	8	1	2	113
Some counselor-victim contact	9	23	11	9	116
Victim-client meetings	7	23	6	0	42

While only 15 of the 102 restitution cases (14.7%) had no victim involvement, a substantial percentage (34.2%) of all victims were not involved with the preparation of the restitution plans. Almost all of these victims were businesses. While only two cases with multiple business victims had no victim involvement, these two cases represented 113 victims.

Victim-client meetings were held in 45 cases, but 78 victims were involved in these meetings. In some cases, a client met at different times with different victims. In other cases, one person represented several victims in a meeting with a single client. In either event, the client was categorized as one of the cases involving victim-client meetings.

It is evident that businesses are the primary beneficiaries both of the restitution law and of the Restitution



in Probation Experiment. While the proportion of businesses among a total population of victims is not known, it is probable that fewer individuals are victimized than businesses, and that the proportional difference is accentuated by providing for restitution for pecuniary damages only.

#### Immediate Project Effects

Much of the material already presented relates, at least indirectly, to project effects. The issues previously presented are related primarily to the restitution process, and for many of them it is not possible to distinguish accurately the effects of the project from the effects of the application of the law. Amount of restitution paid throughout the Department, size of restitution plans, and time spent in restitution plan development and administration are examples of these issues.

Measures of overall project effectiveness were not possible due to late project implementation and the short-term nature of the evaluation. Valid assessments of correctional effectiveness (absence of recidivism) and social effectiveness (rehabilitation or social re-integration) are possible only after clients have completed restitution payments, have been terminated from the program, and have functioned for a time without supervision. Clearly, those assessments were not possible for this project.

However, it was expected that some immediate effects of the project might be observed. The primary treatment

difference provided by the Restitution in Probation Experiment was the meeting of victims and offenders. These meetings were expected to produce greater cooperation among both victims and clients. Also, it was believed that through such meetings offenders might become somewhat more committed to both the restitution concept and the actual restitution plan, resulting in a greater commitment to the provisions of the plan.

Counselors were asked to judge the degree of cooperation they received from victims and offenders for each of the restitution plans for which they were responsible.

TABLE 13

#### COUNSELOR PERCEPTIONS OF RESTITUTION CLIENT COOPERATION BASED UPON DEGREE OF VICTIM INVOLVEMENT

	Number of Clients				Total
	Very Co- operative	Somewhat Cooperative	Somewhat un- cooperative	Very unco- operative	
No victim involvement	5	3	3	1	12
Some counselor- victim contact	23	11	4	3	41
Victim-client meetings	24	13	2	1	40
	—	—	—	—	—
					93*

\*Data not available for 9 cases.

A sizeable majority of the clients (84.9%) were coded on the "cooperative" side of the scale. Sixty percent (60%)

of clients who met with victims were coded as "very cooperative," as compared with 56% of clients for whom there was some counselor-victim contact and 41% for those whose cases had no victim involvement.

Although not appropriate for valid statistical analysis, assignment of interval values for each level of client cooperation is helpful in assessing the meaning of the frequencies reported in Table 13. Using a scale from 1 (very cooperative) to 4 (very uncooperative), it is discovered that the average response for clients whose victims were not involved in the plan preparation was 2.0, compared with 1.68 for those with some counselor-victim contact and 1.5 for those with victim-client meetings. The overall average scaled response was 1.65.

It is probable that a favorable response set existed in the coding of this item, that is, that counselors were reluctant to code a client as being uncooperative. The existence of such a response set would increase the importance of the differences observed between the three client groups. While the results obtained here do not allow conclusions relating to the magnitude of the differences, it is warranted to conclude that clients who met with victims were perceived by their counselors to be somewhat more cooperative than other clients.

Client preferences were not involved in deciding who would or would not meet with victims. Victim preference, on

the other hand, was a strong determining factor. If a victim agreed to meet with the offender, a meeting was held. If a victim refused to meet with an offender, there could be no such meeting. Based upon the selection technique, it was expected that victims who met with offenders would be perceived as more cooperative than other victims.

TABLE 14

COUNSELOR PERCEPTIONS OF VICTIM COOPERATION  
FOR EACH CASE BASED UPON VICTIM INVOLVEMENT

	Number of Cases				Total
	Very Co- operative	Somewhat Cooperative	Somewhat un cooperative	Very unco- operative	
No victim involvement	7	2	2	0	11
Some counselor- victim contact	25	11	1	2	39
Victim-client meeting	29	1	4	1	35
	61	14	7	3	85*

\*Data not available for 17 cases.

As with counselor perceptions of client cooperation, a great majority (88%) of codings of victim cooperation for each case were on the "cooperative" side of the scale. In cases in which victim-client meetings were held, victim cooperation was coded as "very cooperative" in 82.8% of such cases, compared to 64.1% for cases involving some victim-counselor contact and 63.6% for cases in which the victim was not involved.

As expected, counselor perceptions of victim cooperation seems to be related to the degree of victim involvement. Using the same scaling technique as described above, victims in cases in which victim-client meetings occurred were coded with an average scale value of 1.34, compared to 1.49 in cases involving some counselor-victim contact and 1.55 for cases in which no victim was involved.

The differences observed are not as great as was initially expected. A favorable response set probably exists in this data item as well as the item relating to client cooperation. To an extent, the coding of perceptions of victim cooperation at the end of the data collection period may have allowed some on-going experience to offset perceptions created on the basis of willingness to cooperate. However, it is not possible to distinguish the effects of the earlier perceptions.

Based upon the data available, it is possible only to say that counselors perceive victims in general as being quite cooperative, and that those perceptions are somewhat more favorable for each level of greater victim involvement. It can probably also be concluded legitimately that victims with the prospect of restitution were generally quite willing to cooperate with the restitution process.

A somewhat more objective indicator of client cooperation was expected to be the regularity of payment in fulfilling the requirements of the restitution plan. For each

client, data were collected to indicate the number of scheduled payments from the beginning of the plan to the end of the data collection as well as the number of complete payments which were made on time by the client.

It must be noted that factors other than client motivation or cooperation could be involved in the failure to make complete, on-time payments. However, the groups did not appear to differ with respect to these factors.

TABLE 15

REGULARITY OF RESTITUTION PAYMENTS

		TYPE OF CASE			Total
		No Victim Involvement	Some Counselor-Victim Contact	Victim-Client Meetings	
CURRENT CASES	Number of scheduled payments	57	250	217	524
	Number of complete, on-time payments	29	104	119	252
	Percentage of complete, on-time payments	50.8%	41.6%	54.8%	48.1%
COMPLETED CASES	Number of scheduled payments	54	89	41	184
	Number of complete, on-time payments	40	49	40	129
	Percentage of complete, on-time payments	74.1%	55.1%	97.6%	70.1%

(continued)

TABLE 15 (continued)

		No Victim Involvement	Some Counselor- Victim Contact	Victim-Cli- ent Meetings	Total
ALL CASES	Number of scheduled payments	111	339	258	708
	Number of complete, on-time payments	69	153	159	381
	Percentage of complete, on-time payments	62.2%	45.1%	61.6%	53.8%

Of the 708 payments which were scheduled among all restitution clients prior to the end of the data collection period, a total 381 complete payments were made when they were due (53.8%). Among all three client groups, payments were much more regular for completed cases than for current cases, reinforcing the suggestion made above (pp 32-33) that the completed cases were less difficult than current cases.

It is particularly interesting to note that clients who experienced meetings with victims and clients whose cases did not involve the victim made payments with approximately equivalent regularity among all cases, although some differences existed between these two groups for both current and completed cases.

Somewhat surprising is the finding that clients whose cases involved some counselor-victim contact made payments far less regularly than either of the other two groups.

Various interpretations may be advanced for this finding, but all are speculative and cannot be supported by objective data.

The group of victims who met with clients during the restitution plan development process included both individuals and businesses. Some of the businesses were sole proprietorships or other small businesses. Many of the victim-client meetings involved the client and a representative of the victim. These representatives were often employees or managers of the businesses, but also included lawyers, insurance representatives, and collection agency personnel.

Many of the meetings, however, involved the actual victim - that is, the person who has suffered pecuniary damage. Typically in these cases, the victim was either an individual or a small business. When these two groups of clients who met with victims are compared on the basis of payment regularity, it is discovered that complete restitution payments were made as scheduled 77.5% of the time by clients who had met with the actual victim, compared to 55.1% of the time by clients who had met with a representative of the victim.

In recognition of the possibility that these differences are due to differing case complexity, the two groups were also compared on the basis of other factors. It was discovered that as compared to clients who met with representatives of victims, those clients who met with the actual

victim were perceived by counselors to be somewhat more cooperative. The average time necessary to develop and administer their restitution plans was greater (21.6 hours compared to 17.8 hours) and the average amount of money called for by the plan was less (\$563 compared to \$1128). However, among current cases only, the average case in which clients met with actual victims called for repayment of \$1278 (compared to \$1089 for the other group of cases) and will have involved approximately 44 hours for restitution plan development and administration (compared to 24 hours for clients who met with representatives of victims). For current cases only, payment regularity was 71.2% for clients who met with actual victims, compared to 48.7% for clients who met with victim representatives.

Overall, for those cases which involved face-to-face meetings of clients and victims or victim representatives, restitution payments were slightly more regular and both clients and victims were perceived to be somewhat more cooperative than for cases which did not include victim-client meetings. However, when cases which involved meetings of clients and actual victims are analysed separately, it is discovered that these clients are far more regular in payment than any other group, and are also perceived by counselors to be more cooperative than any other group. An important corresponding effect is that notable differences disappear between clients who met with victim representatives and those whose cases involved only counselor-victim contact.

It is legitimate, therefore, to conclude that meetings of clients and victims have some noteworthy positive immediate effects, but only in those instances in which clients met with actual victims rather than their representatives.

SUMMARY

For the past 4,000 years, societies have sometimes sought to remedy the effects of criminal behavior through the practice of restitution--a procedure whereby damages resulting from criminal offenses are restored to the victim by the offender. The restitution concept has increased in popularity in the last several years, and the State of Iowa in 1974 established restitution as a state policy (Senate File 26:Iowa Code, Section 204).

To facilitate the application of the Iowa law, and to test the effects of face-to-face meetings of victims and offenders in developing and administering restitution plans, the Restitution in Probation Experiment was implemented within the Fifth Judicial District Department of Court Services in Polk County, Iowa.

Funded by the Law Enforcement Assistance Administration (through the Metropolitan Criminal Justice Center of Drake University) with an operating budget of \$63,176, the project grant included provisions for evaluation of the effects of the project. To that end, the Polk County Board of Supervisors created a Department of Program Evaluation, whose responsibility it was to evaluate the restitution project as well as the Improved Charge Analysis Project of the Office of the County Attorney. This report is the

final product of the evaluation of the Restitution in Probation Experiment. A report of the evaluation of the Office of the County Attorney was released in August of this year.

Project Design and Implementation

The Restitution in Probation Experiment was designed by a staff member of the Metropolitan Criminal Justice Center. Although staff of the Department of Court Services were involved in some of the developmental processes, the basic conceptual work and the work necessary to meet funding requirements and procedures were performed by the MCJC. Commitment to the project concepts or proposed procedures was not in evidence among key departmental administrative personnel. Rather, it is evident that departmental administrators viewed the proposed project most importantly as a method of acquiring additional staff.

Project staff were hired in November 1974, but implementation of project activities was delayed until an evaluation design could be developed. This occurred during March, 1975, and project activities began during April.

The Restitution Process

During the period from July 1, 1974 to November 1, 1975, a total of 102 clients of the Department of Court Services had made restitution or were fulfilling an approved restitution plan to 374 victims.

Restitution payments by clients of the Department increased from a monthly average of \$1291 during the first

half of 1974 to an average of \$2292 during the next 9 months (reflecting the application of the restitution law) to an average of \$3171 during the 7 months of project operations covered by the data collection.

Of 102 restitution cases, 45 involved victim-client meetings, 42 involved counselor-victim contacts, and 15 were administered with no victim involvement. Counselor time necessary to develop and administer restitution plans ranged from 16.9 hours to 20.3 hours for the three client groups, with the proportion of time devoted to plan development (rather than administration) increasing with each level of greater victim involvement.

More than three-fourths of all restitution cases involved clients convicted of property offenses, while these offenses accounted for less than half of the convicting offenses for the total probation client population.

#### The Victims

Of the 374 victims who were part of the 102 restitution cases, 38 (10.1%) were individuals and the remaining 336 were business enterprises. The 45 cases which involved victim-client meetings included 13 individual victims and 65 businesses. These 45 cases included some which required several meetings and some which involved a representative of several victims in a single meeting.

The 102 cases were comprised of 74 which had single victims (20 individuals and 54 business) while the other 28

cases had a total of 300 victims (18 individuals and 282 businesses).

Of the 78 victims for whom meetings were held with clients, 32 personally met with the probation clients while the other 46 were represented in the client meetings by an employee, lawyer, insurance representative, or collection agency.

#### Immediate Project Effects

Due to the late project implementation and the short-term nature of the evaluation, valid measures of major project effects such as correctional effectiveness (absence of recidivism) or social effectiveness (rehabilitation or social re-integration) were not possible.

Immediate project effects relating to such criteria as client cooperation, victim cooperation, and client payment regularity were measured.

Counselors perceived most clients to be fairly cooperative, but indicated somewhat greater cooperation among clients whose cases involved meetings with victims than other clients. Victims were perceived by counselors to be quite cooperative as well, again with greater cooperation indicated for those who experienced victim-client meetings.

Restitution payments were made on a complete, on-time basis 53.8% of the time by all clients. Among the various client groups, complete payments were made as scheduled 77.5% of the time by clients who met with the

actual victims of their offenses, compared with 62.2% of the time by clients whose case preparation had no victim involvement, 55.1% of the time by clients who met with representatives of the victims, and 45.1% of the time by clients whose case preparation involved only counselor-victim contacts.

#### CONCLUSIONS

The conclusions that may be reached strictly on the basis of empirical data are limited. The late implementation of the project and of its evaluation, the basic evaluation design problems, and the lack of a significant number of offenders who have completed their probation and restitution payment experience have precluded definitive statements relating to major project effects. However, some conclusions are possible, reached primarily through the subjective observations and impressions of the evaluation staff.

The Restitution in Probation Experiment enabled the Department of Court Services to apply the restitution provisions of Senate File 26. Probation officer caseloads within the Department (60 to 75 probationers for each probation officer) are apparently the largest in the state. It would not have been possible for the many tasks implied by the law to have been adequately performed in the absence of the project without potentially serious side-effects.

With the additional staff provided through the project, it was possible to perform the many tasks necessary for a successful restitution effort. The lack of administrative commitment to the project during its early stages was replaced by a serious effort to implement project activities and to facilitate the evaluation of their effectiveness. With a few ever-present limitations, after the project was implemented, restitution in general and the special restitution project in particular were skillfully and conscientiously managed by the Supervisor of Probation and by the newly appointed restitution monitor of the Department.

The primary procedural concept of the Restitution in Probation Experiment was the involvement of the victim with the convicted offender in the development of plans for restitution. This approach appears to have been fairly effective among clients who met with the actual victims of their offenses. Meetings of clients with representatives of victims appeared to have little positive effect upon the cooperation of the client or the fulfillment of restitution provisions as scheduled.

\* \* \* \* \*

The application of the restitution law and implementation of the project had some impact upon the functioning of the Department of Court Services. Restitution payments by clients of the Department now exceed \$3,000 in an average month, nearly triple the amount of restitution paid



during the first half of 1974, and more than ten times the average monthly restitution payments during 1973.

The restitution workload of the Department has substantially increased as a result of the law. Approximately 2000 counselor hours were spent in the development and administration of restitution plans during the period from April through November. In addition, time spent by supervisory and clerical staff was significant.

This substantial concentration of time and energy upon restitution by departmental staff could have important side-effects as well. The Department of Court Services has functioned quite effectively in recent years. It is probable that the workload created by restitution has affected other areas of performance of the Department, with potential negative effects. There is, further, the danger that the Department of Court Services will begin to function as a collection agency for business. Most victims are businesses, and restitution provides restoration of losses which otherwise would or could be recovered through civil court action.

Positive side-effects are also in evidence. The image of the Department has improved somewhat among some public sectors, particularly among small business. The management of the restitution process has also stimulated some fresh ideas. For example, in a recent case a woman (convicted for writing bad checks) and her husband were sent by her probation officer to all of the businesses which

had received the bad checks. At each of these businesses, she was to obtain a photocopy of the check, requiring actual contact with the victim. Apparently, both client and victims were enthusiastic about this approach, and a considerable amount of counselor time was saved.

\* \* \* \* \*

The purposes for the restitution provisions in Senate File 26 are not clearly defined. Restitution has been utilized both for the punishment and for the rehabilitation of criminal offenders. If the legislators had intended that restitution be a method of punishing offenders, the clauses which relate the payment of restitution to the ability of the offender to pay would be dysfunctional. If they wished restitution to be employed as a rehabilitative tool, it appears that they would have provided for its use on a diagnostic basis rather than for its universal application.

Most reasonable is the suggestion that the legislators were not concerned primarily about the correctional implications of restitution, but, rather, were concerned that victims of criminal behavior be compensated for their losses. Yet it is not clear precisely who the legislators intended to benefit, as victims, from the legislation. Defining victim as "a person who has suffered pecuniary damage" appears to indicate that the legislators were primarily concerned about individual victims, although "person" does extend to corporate entities.

If the legislators intended that individual victims be compensated for their losses, the law is poorly written. By limiting the law to "pecuniary damages," a focus upon property offenses is created. Business enterprises are the victims in an overwhelming number of property offenses, and have become the primary beneficiaries of the law.

The law does not provide relief in any substantial way for individual victims of criminal offenses. Pecuniary damages are often difficult to establish for offenses against persons, the category of offenses to which the individual is most vulnerable. Offenders convicted of offenses against persons are often incarcerated, and are thereby outside of the application of the law.

If a person is criminally assaulted and permanently injured, and the offender is convicted and incarcerated, restitution is not applicable. If an offender is convicted and given probation for breaking a lock on a dwelling, entering, and injuring an inhabitant, the victim may be reimbursed for repair or replacement of the lock and actual medical expenses.

If the goal of the legislation is to provide restoration of damages to individual victims, that goal is not accomplished through restitution.

The passage of Senate File 26 has had dramatic implications for the operation of correctional agencies. Preparation of a pre-sentence investigation and the development and administration of a restitution plan for an average

case involves approximately 35 hours. For the sake of illustration, consider that a full-time probation officer may observe 9 legal holidays, 10 days vacation, and 2 days sick leave. Remaining are 240 work days, with a required expenditure of 8 hours per day (a total of 1,920 required hours). With an expenditure of 35 hours for a pre-sentence investigation and restitution plan for each of the 50 clients on the average caseload, a total of 4 hours per client per year remain for other supervisory and treatment services. With an average caseload of 55 clients, no time remains after the preparation of the pre-sentence investigations and restitution plans.

This workload assessment, fortunately, is not a completely accurate picture of reality. No restitution is applicable for cases in which there are no pecuniary damages. Further, probation clients typically stay on probation for more than one year. And, finally, as a general rule probation officers work far in excess of their required 40 hours per week.

However, the implications of the law are clear. In the absence of provisions for increased staff support, three alternatives appear probable; the law might be ignored, its provisions might be performed superficially, or restitution may be established as the predominant or exclusive correctional treatment form.

Finally, the legality of some of the provisions and applications of the law is questionable. Provisions

are made in the law which entitle the defendant to demand a court hearing "on any matter related to the plan of restitution." No such provision applies to the victim.

Under the law, it is possible to require offenders to make restitution for offenses of which they have not been convicted. This occurs most often in cases involving bad checks. While restitution is required for all of the known checks outstanding, convictions are seldom obtained for each separate offense.

Perhaps most important is that restitution by its very nature may be unconstitutional. During sentencing, incarceration exists as an alternative to restitution, and failure to fulfill an approved plan of restitution can result in revocation and incarceration. In every circumstance of restitution, an implicit threat of incarceration exists.

#### RECOMMENDATIONS

1. Victim restitution is a legal mandate in the State of Iowa. Courts and correctional agencies should consider a variety of approaches to reduce the time necessary to administer a plan of restitution. Among these approaches might be:

-- determination by the court of the identity and location of all victims for whom restitution is applicable for a case, and a judgement by the court pertaining to the actual pecuniary damages suffered by each victim.

-- specification by the court of the actual amount of

restitution to be paid, subject to adjustment in consideration of personal circumstances of the offender.

-- inclusion of restitution information needs in pre-sentence investigations.

-- creation within correctional units of budget specialists -- individuals competent to develop restitution plans as well as to assist counselors and clients with budget management, debt retirement, and so forth.

2. Additional staff positions which were made possible through the Restitution in Probation Experiment should be continued whether or not the project is continued. These positions can be well-justified solely on the basis of the extra workload created by the restitution law.
3. Victim-offender meetings are not sufficiently effective to justify time expended unless the actual victim is involved in the meetings. Meetings of offenders with actual victims should be continued on a diagnostic basis. Other approaches to improved efficiency and effectiveness should continue to be developed, with the provision of on-going assessment of the effectiveness of the various approaches.
4. The legislature of the State of Iowa should reconsider the restitution provisions of the law, their effects, and their purposes. If the goal of the legislature is

to provide reparation to victims of criminal offenses, it should consider a form of compensation as a potentially more effective approach to that goal than restitution, and should reconsider the limitation of restitution for pecuniary damages only.

5. The constitutionality of certain provisions and applications of the restitution law should be tested in a court of law.
6. The practise of creating new programs and procedures primarily to obtain available funds and additional staff should be discouraged. New programs and approaches should be created only in response to well-documented needs rather than fund availability, and should be continued only on the basis of documented effectiveness. Legislative and funding bodies should create and preserve an atmosphere in which requests for increased resources need not depend upon new program approaches for justification.

APPENDIX

EVALUATION CODESHEET-PROBATION RESTITUTION PROJECT

NAME Last First Middle  
DATE CODED: Month Day Year

(TO BE COMPLETED FOLLOWING DEVELOPMENT OF RESTITUTION PLAN)

I. D. NUMBER (Leave Blank)

1 2 3 4 5 6  
CODED BY: 7 8 9

1. AMOUNT OF RESTITUTION SPECIFIED BY COURT (in dollars)  
2. AMOUNT OF LOSS CLAIMED BY VICTIM  
3. AMOUNT OF LOSS ADMITTED BY CLIENT  
4. ACTUAL AMOUNT OF LOSS AS ESTIMATED BY COUNSELOR  
5. WAS A FORMAL PLAN OF RESTITUTION DEVELOPED AND SUBMITTED TO COURT?  
1 Yes  
2 No  
6. DATE OF COURT APPROVAL OF RESTITUTION PLAN  
Month Day Year  
7. TOTAL AMOUNT OF RESTITUTION SPECIFIED BY RESTITUTION PLAN  
8. EXPECTED DATE OF 1ST PAYMENT  
Month Day Year  
9. PLANNED DATE OF COMPLETION OF RESTITUTION PAYMENT  
Month Day Year  
10. PAYMENT PLAN (dollars per payment)  
11. PAYMENT INTERVAL  
1 Weekly  
2 Every 2 weeks  
3 Twice per month  
4 Monthly  
5 Complete payment in one sum  
9 Other (specify)  
12. PAYMENTS WILL BE MADE TO:  
1 The victim  
2 Court  
3 Program personnel  
4 Attorney  
13. DID PRE-SENTENCE INVESTIGATION CONTAIN INFORMATION HELPFUL IN THE DEVELOPMENT OF THE RESTITUTION PLAN?  
1 Yes  
2 No  
9 Does not apply - no pre-sentence investigation

14. DEGREE OF DIFFICULTY ENCOUNTERED BY COUNSELOR IN DEVELOPING THE RESTITUTION PLAN  
1 More difficult than average  
2 Average degree of difficulty  
3 Less difficult than average  
15. TIME SPENT BY COUNSELOR IN DEVELOPING RESTITUTION PLAN (approximate number of hours)  
16. SATISFACTION OF VICTIM WITH RESTITUTION PLAN (as perceived by counselor)  
1 Very satisfied  
2 Somewhat satisfied  
3 Somewhat dissatisfied  
4 Very dissatisfied  
17. SATISFACTION OF CLIENT WITH RESTITUTION PLAN (as perceived by counselor)  
1 Very satisfied  
2 Somewhat satisfied  
3 Somewhat dissatisfied  
4 Very dissatisfied  
18. IS THE TOTAL AMOUNT OF RESTITUTION WELL-SUITED TO THE CLIENT?  
1 Total amount is unreasonably high  
2 Total amount is fairly reasonable  
3 Total amount is less than it should be  
19. IS THE RESTITUTION PAYMENT SCHEDULE WELL-SUITED TO THE CLIENT?  
1 Payment schedule is shorter than it should be (payments too high)  
2 Payment schedule is fairly reasonable  
3 Payment schedule is longer than it should be (payments lower than necessary)  
20. TYPE OF VICTIM(S)  
1 Individual  
2 Individuals (multiple victims)  
3 Business enterprise or other organization (specify)  
4 Business enterprise or other organizations (multiple victims) (specify)  
5 Multiple victims - both individual(s) and business enterprise(s) or other organization(s)  
21. PRIMARY CONTACT PERSON FOR FORMULATION OF RESTITUTION PLAN  
1 Victim  
2 Attorney of individual victim  
3 Official representative of victim (i.e., employee, manager, etc.)  
4 Insurance representative  
9 Other (specify)

22. VICTIM INVOLVEMENT IN DEVELOPMENT OF RESTITUTION PLAN  
0 No involvement  
1 Consultation with representative of victim  
2 Telephone contact with victim  
3 Personal interview with victim  
4 Meeting(s) of client and representative of victim  
5 Meeting(s) of victim and client  
23. IF VICTIM WAS AN INDIVIDUAL (OR SOLE PROPRIETOR), PLEASE IDENTIFY THE FOLLOWING CHARACTERISTICS  
a. Age (last birthday)  
b. Sex  
1 Male  
2 Female  
c. Race  
1 Spanish-American  
2 Negro-American  
3 Anglo-American  
4 American Indian  
5 Asiatic-American  
9 Other (specify)  
24. EMPLOYMENT STATUS  
0 Unemployed/laid off  
1 Employed full-time  
2 Employed part-time  
3 Unemployable due to handicap  
9 Uncodable or other (specify)  
25. OCCUPATIONAL LEVEL  
0 None  
1 Unskilled  
2 Semi-skilled  
3 Skilled  
4 Clerical  
5 Sales  
6 Manager  
7 Proprietor  
8 Professional  
9 Uncodable or other (specify)  
26. CRIMINAL HISTORY OF VICTIM  
0 No convictions  
1 Conviction on misdemeanor  
2 Conviction on more than one misdemeanor  
3 Conviction on felony  
4 Conviction on more than one felony  
9 Unknown  
27. NUMBER OF TIMES VICTIMIZED  
D A

## EVALUATION CODESHEET-PROBATION RESTITUTION PROJECT

(TO BE FILLED OUT UPON COMPLETION OF RESTITUTION PLAN)

NAME Last First Middle  
DATE CODED: Month Day Year

I. D. NUMBER (Leave Blank)

CODED BY:

WAS FULL AMOUNT SPECIFIED BY  
RESTITUTION PLAN PAID TO CLIENT?

- 1 Yes  
2 No

7

WAS RESTITUTION PLAN ALTERED AFTER  
ORIGINAL DESIGN AND IMPLEMENTATION?

- 1 Yes  
2 No

8

a. IF YES, TOTAL AMOUNT OF RESTITU-  
TION SPECIFIED BY FINAL PLAN

9 10 11 12 13

b. PAYMENT PLAN (dollars per payment)

14 15 16 17

c. PAYMENT INTERVAL

- 1 Weekly  
2 Every two weeks  
3 Twice a month  
4 Monthly  
5 Complete payment in one sum  
9 Other (specify)

18

i. TOTAL NUMBER OF SCHEDULED PAYMENTS

19 20 21

1. NUMBER OF INCOMPLETE PAYMENTS

22 23 24

5. NUMBER OF LATE PAYMENTS (but paid  
before next scheduled payment)

25 26 27

6. NUMBER OF PAYMENTS MISSED (not paid  
before next scheduled payment)

28 29 30

7. TIME OF SIGNIFICANT DIFFICULTIES IN  
FULFILLING TERMS OF RESTITUTION PLAN

- 1 No significant difficulties  
2 Early stage of restitution plan  
3 Middle stage of restitution plan  
4 Late stage of restitution plan  
5 Throughout restitution plan

31

8. COOPERATION OF CLIENT IN  
MAKING RESTITUTION

- 1 Very cooperative  
2 Somewhat cooperative  
3 Somewhat uncooperative  
4 Very uncooperative

32

9. COOPERATION OF VICTIM

- 1 Very cooperative  
2 Somewhat cooperative  
3 Somewhat uncooperative  
4 Very uncooperative

33

10. JUSTIFIABILITY OF INCOMPLETE,  
LATE, OR MISSED PAYMENTS

- 1 Justified - client performance  
limited by other factors  
(specify)  
2 Justified - client performance  
limited by inadequate counselor  
support or supervision  
3 Not sure  
4 No adequate justification for  
poor client performance  
9 Does not apply

34

11. WAS THE TOTAL AMOUNT OF RESTITUTION  
WELL-SUITED TO THE CLIENT?

- 1 Total amount of restitution was  
unreasonably high  
2 Total amount of restitution was  
fairly reasonable  
3 Total amount of restitution was  
less than it should have been

35

12. WAS THE RESTITUTION PAYMENT SCHEDULE  
WELL-SUITED TO THE CLIENT?

- 1 Payment schedule was shorter than  
it should have been (payments  
too high)  
2 Payment schedule was fairly reason-  
able  
3 Payment schedule was longer than  
it should have been (payments  
lower than necessary)

36

13. APPROXIMATE NUMBER OF HOURS TAKEN  
TO ADMINISTER RESTITUTION PLAN  
AFTER IT WAS IMPLEMENTED

37 38 39

D B  
79 80

JUSTICE RESEARCH

EVALUATION CODESHEET  
CLIENT CHARACTERISTICS - POST - CONVICTION PROGRAMS

FORM 4027A

NAME Last First Middle  
DATE CODED: Month Day Year

1 2 3 4 5 6  
7 8 9  
CODED BY:

COURT DOCKET  
NUMBER

1 2 3 4 5 6

2 SOCIAL SECURITY NUMBER

Month Day Year  
1 2 3 4 5 6 7 8 9 10 11 12

3 DATE OF  
ARREST

Month Day Year  
1 2 3 4 5 6 7 8 9 10 11 12

4 DATE RECEIVED  
BY PROGRAM

Month Day Year  
1 2 3 4 5 6 7 8 9 10 11 12

5 SOURCE OF ASSIGNMENT TO THIS PROGRAM

- 0 Volunteer  
1 Non-adjudicated assignment  
(specify)  
2 Sentenced by criminal court  
3 Sentenced by non-criminal court  
4 Parole Board  
5 Work Release Board  
6 Federal  
9 Uncodable or Other

18

6 CLIENT STATUS IMMEDIATELY PRIOR  
TO ASSIGNMENT TO THIS PROGRAM

- 1 Awaiting trial - Released on  
on recognizance  
2 Awaiting trial - Released on bond  
3 Awaiting trial - Released to  
Pretrial Release Project  
4 Awaiting trial - Released to  
Pretrial Services Project  
5 Awaiting trial - Detained in jail  
6 Jail - Serving sentence  
7 Mental institution  
8 Medical facility  
9 Correctional program  
0 Uncodable or Other

19

7 PREVIOUS ASSIGNMENT PROGRAM  
CODE: (specify)

20 21 22

8 SENTENCING OFFENSE  
(see offense list)

23 24 25 26 27 28 29 30 31

9 LENGTH OF SENTENCE

001 - 998 Months  
000 - Life  
999 - Indefinite

32 33 34

10 NUMBER OF PRIOR ASSIGNMENTS  
TO THIS PROGRAM

0-9 or more

35

11 AGE AT FIRST ARREST

36 37

12 NUMBER OF PRIOR ARRESTS

0-9 or more

38

13 NUMBER OF JUVENILE COMMITMENTS

0-9 or more

39

14 NUMBER OF PRIOR  
ADULT CONVICTIONS

0-9 or more

40

15 NUMBER OF PRIOR ADULT  
PRISON SENTENCES

0-9 or more

41

16 NUMBER OF PRIOR ADULT  
JAIL TERMS

0-9 or more

42

17 NUMBER OF PRIOR PROBATION  
TERMS

0-9 or more

43

18 PRE-SENTENCE INVESTIGATION

000 - None  
Yes, (specify)

44 45 46

19 AGE

47 48

20 SEX

- 1 Male  
2 Female

49

21 RACE

- 1 Spanish-American  
2 Negro-American  
3 Anglo-American  
4 American Indian  
5 Asiatic-American  
8 Other (specify)

50

22 NUMBER OF ALIASES

- (Identify Falsification Only)  
0-9 or more

51

23 MILITARY EXPERIENCE

- 0 No  
1 Yes, honorable discharge  
2 Yes, dishonorable discharge  
3 Yes, other type of discharge  
4 Yes, type of discharge unknown  
5 Yes, active

52

24 MARITAL STATUS AT TIME OF  
ASSIGNMENT TO THIS PROGRAM

- 1 Single (never married)  
2 Married  
3 Separated  
4 Divorced  
5 Widowed  
6 Common-Law Marriage  
7 Homosexual Alliance  
8 Uncodable or Other (specify)

53

25 NUMBER OF LEGAL DEPENDENTS  
(excluding self)

54

26 NUMBER OF LEGAL DEPENDENTS NOT  
SUPPORTED FINANCIALLY BY CLIENT  
(principal or regular support)

55

27 LIVING ARRANGEMENTS

- 1 Living alone  
2 Living with spouse (and children)  
3 Living with child(ren)  
4 Living with parent(s)  
5 Living with friend(s)  
8 Other (specify)

56

28 PUBLIC ASSISTANCE AT TIME OF  
ASSIGNMENT TO THIS PROGRAM

- 0 None  
1 Self only  
2 Dependents only  
3 Self and dependents  
4 Dependent upon receipt  
of public assistance

57

29 COUNTY OF RESIDENCE

58 59

30 COUNTY IN WHICH CRIME  
WAS COMMITTED

60 61

31 ARE DRUGS OR ALCOHOL CONNECTED  
WITH THIS CASE?

- 0 No connection  
1 Yes, defendant had been using drugs  
or alcohol at time of offense  
2 Yes, related criminal charge  
3 Yes, offense committed to obtain  
money for drugs or alcohol  
4 Yes, other (specify)  
8 Not possible to determine

62

32 TYPE OF DRUG CONNECTED WITH  
CURRENT CASE

- 0 Does not apply  
1 Alcohol  
2 Marijuana, hashish, etc.  
3 Amphetamines, barbiturates,  
tranquilizers, etc.  
4 Hallucinogens  
5 Hard narcotics (heroin, morphine,  
cocaine, etc.)  
8 Unknown or other (specify)

63

33 HISTORY OF ILLEGAL OR EXCESSIVE  
USE OF DRUGS OR ALCOHOL

- Key: 0 No use  
1 Infrequent use  
2 Former regular use -  
no current use  
3 Former regular use -  
current use unknown  
4 Current regular use  
8 Uncodable or other  
(specify)

a. Alcohol

64

b. Marijuana, hashish

65

c. Amphetamines, barbiturates,  
tranquilizers, etc.

66

d. Hallucinogens

67

e. Hard narcotics (heroin,  
morphine, cocaine, etc.)

68

34 EMPLOYMENT AT TIME OF ASSIGNMENT  
TO THIS PROGRAM

- 0 Unemployed/laid off  
1 Employed full-time  
2 Employed part-time  
3 Unemployable due to handicap  
8 Uncodable or other (specify)

69

35 WEEKLY INCOME (in dollars)

70 71 72

36 OCCUPATIONAL LEVEL AT TIME OF  
ENTRY INTO THE PROGRAM

- 0 None  
1 Unskilled  
2 Semi-skilled  
3 Skilled (Trades)  
4 Clerical  
5 Sales  
6 Manager  
7 Proprietor  
8 Professional  
8 Uncodable or other (specify)

73

37 PRIMARY INCOME SOURCE

- 0 None  
1 Own employment  
2 Spouse's employment  
3 Family  
4 Compensation, benefit, or retirement  
5 Inheritance or investments  
6 Public assistance  
7 Criminal activity  
8 Other individual  
8 Other (specify)

74

38 YEARS OF FORMAL SCHOOLING COMPLETED

75 76

39 STUDENT STATUS AT TIME OF  
ASSIGNMENT TO THIS PROGRAM

- 0 Not a student  
1 Full-time student  
2 Part-time student

77

40 DIPLOMAS AND DEGREES

- 0 None  
1 High School  
2 High School  
3 Special Trade  
4 Associate of Arts  
5 BA/BS  
6 MA/MS  
7 PH.D./M.D./J.D.  
8 Post-Doctoral  
8 Other (specify)

78

C A  
79 80

## EVALUATION CODESHEET

JUSTICE RESEARCH

## POST - CONVICTION PROGRAM DATA

FORM 50274

Name

Last

First

Middle

DATE CODED:

Month

Day

Year

I.D. NUMBER (Leave Blank)

1	2	3	4	5	6
7	8	9			

CODED BY:

## PROGRAM PROCESS

1 PROGRAM I.D. NUMBER

10	11	12	13	14	15

2 SOCIAL SECURITY NUMBER

--	--	--	--	--	--	--	--	--	--

3 TYPES OF ACTIVITIES OR ORGANIZATIONAL INVOLVEMENT

- |             |                    |    |    |
|-------------|--------------------|----|----|
| 1 Social    | 6 Professional     | 16 | 17 |
| 2 Athletic  | 7 Self-improvement |    |    |
| 3 Musical   | 8 Service          |    |    |
| 4 Religious | 9 Other (specify)  |    |    |
| 5 Political |                    | 18 | 19 |

4 NUMBER OF SCHEDULED COUNSELOR-CLIENT CONTACTS WHICH CLIENT FAILED TO KEEP

20	21

5 NUMBER OF SCHEDULED OUTSIDE CONTACTS WHICH CLIENT FAILED TO KEEP

22	23

6 NUMBER OF NEW JOB ASSIGNMENTS WITHIN THE PROGRAM

24

7 NUMBER OF JOB INTERVIEWS

25

8 NUMBER OF OUTSIDE JOBS HELD

26

9 NUMBER OF OUTSIDE JOBS OBTAINED THROUGH CLIENT'S OWN EFFORTS

27

10 NUMBER OF TIMES EMPLOYER TERMINATED (FIRED) CLIENT

28

11 NUMBER OF WEEKS ON LONGEST-HELD JOB

29	30	31

12 NUMBER OF WEEKS EMPLOYED

32	33	34

13 TOTAL TAXABLE INCOME

35	36	37	38	39	

14 NUMBER OF RULE INFRACTIONS FOR WHICH CLIENT WAS DISCIPLINED

40

15 NUMBER OF TIMES PLACED IN JAIL OR ISOLATION

41

16 NUMBER OF DAYS SPENT IN JAIL OR ISOLATION

42	43	44

17 NUMBER OF KNOWN INSTANCES OF ILLEGAL DRUG USE

45

18 NUMBER OF KNOWN INSTANCES OF EXCESSIVE ALCOHOL USE

46

19 DID CLIENT RECEIVE ALCOHOL (ANTABUSE, ETC.) TREATMENT?

- 0 Does not apply  
1 No, refused treatment  
2 Yes, very reluctantly  
3 Yes, somewhat reluctantly  
4 Yes, cooperatively

47

20 DID CLIENT RECEIVE HARD NARCOTIC (METHADONE, ETC.) TREATMENT?

- 0 Does not apply  
1 No, refused treatment  
2 Yes, very reluctantly  
3 Yes, somewhat reluctantly  
4 Yes, cooperatively

48

21 DID CLIENT ENGAGE IN EDUCATIONAL OR VOCATIONAL PURSUIT?

- 0 No  
1 Yes, High School  
2 Yes, GED  
3 Yes, Special Trade  
4 Yes, College  
5 Yes, Other (Specify)

49

22 SERVICES PROVIDED TO CLIENT

KEY:

- |                   |                              |              |
|-------------------|------------------------------|--------------|
| 00 None           | 05 Lodging                   | 10 Alcohol   |
| 01 Employment     | 06 Financial                 | 11 Medical   |
| 02 Education      | 07 Family                    | 12 Legal     |
| 03 Vocational     | 08 Psychological/Psychiatric | 13 Religious |
| 04 Transportation | 09 Drugs                     | 19 Other     |

Type of Service

(Specify Service and by Whom Provided)

Number of Services  
Number Provided By Outside Resources

50	51

52	53

54	55

56	57

58	59

60	61

62	63

64	65

66	67

68	69

70	71

72	73

I.D. NUMBER (Leave Blank)

C B

79	80	1	2	3	4

23 NEW OFFENSE(S) ALLEGED (use offense list)

7	8	9

10	11	12

13	14	15

24 DATE OF FIRST NEW OFFENSE ALLEGATION(S)

16	17

18	19

20	21

PROGRAM OUTCOME

25 DATE OF TERMINATION FROM PROGRAM

Month		Day		Year	
22	23	24	25	26	27

26 TYPE OF RELEASE OR TRANSFER

00 Found not guilty, dropped or dismissed

01 Discharged (full sentence served)

02 Discharged (early termination)

03 Revocation for technical reasons

04 Revocation for new offense allegation

05 Interstate transfer (compact)

06 Extradition

07 Death

08 Absconson/Escapes

09 Parole

10 Transfer to jail

11 Transfer to other correctional program

12 Transfer to medical or psychiatric program

13 Transfer to federal authority

14 Enlisted in armed forces

19 Other (specify) \_\_\_\_\_

27 PROGRAM TRANSFERRED TO: (specify) \_\_\_\_\_

30	31	32
----	----	----

28 COUNTY OF RESIDENCE AFTER RELEASE

(01-99; use county code  
00 = out of state)

33	34
----	----

29 MARITAL STATUS AT TIME OF RELEASE

1 Single

2 Married

3 Separated

4 Divorced

5 Widowed

6 Common-law marriage

7 Homosexual alliance

0 Uncodable or other (specify) \_\_\_\_\_

30 NUMBER OF LEGAL DEPENDENTS AT TIME OF RELEASE (excluding self)

36
----

31 NUMBER OF LEGAL DEPENDENTS NOT SUPPORTED FINANCIALLY BY CLIENT AT TIME OF RELEASE (principal or regular support)

37
----

32 LIVING ARRANGEMENTS

1 Living alone

2 Living with spouse (and children)

3 Living with child(ren)

4 Living with parent(s)

5 Living with friend(s)

0 Other (specify) \_\_\_\_\_

33 PUBLIC ASSISTANCE AT TIME OF RELEASE

0 None

1 Self only

2 Dependents only

3 Self and dependents

4 Dependent upon recipient of public assistance

39
----

34 EMPLOYMENT AT TIME OF RELEASE

0 Unemployed/Laid off

1 Employed full-time

2 Employed part-time

3 Unemployable due to handicap

0 Uncodable or other (specify) \_\_\_\_\_

40
----

35 WEEKLY INCOME (in dollars)

41	42	43
----	----	----

36 OCCUPATIONAL LEVEL AT TIME OF RELEASE

- 0 None
- 1 Unskilled
- 2 Semi-skilled
- 3 Skilled (Trades)
- 4 Clerical
- 5 Sales
- 6 Manager
- 7 Proprietor
- 8 Professional
- 0 Uncodable or other (specify) \_\_\_\_\_

44

37 PRIMARY INCOME SOURCE AT TIME OF RELEASE

- 0 None
- 1 Own employment
- 2 Spouse's employment
- 3 Family
- 4 Compensation, benefit or retirement
- 5 Inheritance or investments
- 6 Public assistance
- 7 Other individual
- 0 Uncodable or other (specify) \_\_\_\_\_

45

38 STUDENT STATUS AT TIME OF RELEASE

- 0 Not a student
- 1 Full-time student
- 2 Part-time student

46

39 DIPLOMAS AND DEGREES OBTAINED WHILE A CLIENT OF THIS PROGRAM

- 0 None
- 1 High School
- 2 High School Equivalency (GED)
- 3 Special Trade
- 4 Associate of Arts
- 5 BA/BS
- 6 MA/MS
- 0 Uncodable or other (specify) \_\_\_\_\_

47

40 WHAT IS THIS CLIENT'S ORIENTATION TOWARDS TASKS WHICH HE/SHE BEGINS?

- 1 Almost always follows them through to completion
- 2 Usually follows them through to completion
- 3 Usually does not follow them through to completion
- 4 Almost never follows them through to completion

48

41 THE CLIENT'S OVERALL REACTIONS TO THE PROGRAM HAVE BEEN:

- 1 Extremely uncooperative
- 2 Somewhat uncooperative
- 3 Neither cooperative nor uncooperative
- 4 Somewhat cooperative
- 5 Extremely cooperative

49

42 REGARDLESS OF CASE OUTCOME, THIS CLIENT'S PERSONAL ADJUSTMENT HAS:

- 1 Deteriorated markedly
- 2 Deteriorated somewhat
- 3 Remained unchanged
- 4 Improved somewhat
- 5 Improved markedly

50

43 THE MOST NOTICEABLE AREA OF THE CLIENT'S IMPROVEMENT WAS:

- 0 None
- 1 Personal relationships
- 2 Educational achievement
- 3 Employment
- 4 Physical health
- 5 Mental health
- 6 Attitude toward society
- 7 Self-concept
- 0 Uncodable or other (specify) \_\_\_\_\_

51

C C  
79 80

END