

SYSTEMS ANALYSIS

An Analysis of the Functioning of Restitution Programs in  
The District, County and Juvenile Courts in  
Three Minnesota Judicial Districts

District 3 - Southeastern Minnesota  
District 2 - Ramsey County  
District 6 - The Arrowhead Region

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## INTRODUCTION

### SCOPE AND PURPOSE OF STUDY

The data collection phase of the restitution project had two components: The first an investigation of court file material which documented the various uses of restitution and characteristics of offenders with restitution sentences. That material was gathered through an extensive court by court data analysis process in each court district. The second was a court by court analysis of the "software" system regarding restitution. We wanted to know how each court system's process for implementing restitution worked and something of the attitudes/value biases upon which it rested. We wanted to know how the various judicial roles were managed with respect to restitution and we were interested in court officials' personal perceptions of successful and unsuccessful applications of this kind of sentencing alternative. We were also interested in the criteria used for applying restitution sanctions and in creative programming with respect to restitution innovated through the court. We attempted to develop the answers to these and other related questions through extensive interviewing with probation and parole officers and county court and district court judges in each of the counties within each of the three judicial districts.

This report is an accounting of the "software" analysis. District 6 information is drawn from on-site interviews with seven judges, 27 court services staff and ten allied community professionals (Regional Economic Development staff, LEAA staff, etc.). District 2 included seven judges, 28 court services staff and five allied professionals. District 3 included fifteen judges, 28 court services staff, and nine allied professionals. The information presented here is drawn from the interviewing process stated above and, although essentially subjective in nature, offers an interesting picture of the restitution process in each court system studied. Since all of the analysis was accomplished by the same three analysts, (often two analysts overlapped in an individual jurisdiction) and since all three analysts have considerable experience in systems analysis work of this kind both in corrections and other systems, these results are far from randomly impressionistic.

The purpose of the systems analysis was the development of a "snapshot" of a particular restitution system and of the people who are responsible for its implementation, a picture that would be of real use to the court service staff and judges in assessing their current practice and developing appropriate innovations. The report has been assembled with that purpose in mind.

This report provides a summary description of each individual court jurisdiction within each of the three judicial districts, followed by an analysis of each jurisdiction with evaluation comments.\*

\*Please note that in District 6, the Arrowhead Region, we have included Koochiching and Aitkin Counties along with the four counties in the judicial district in as much as all six counties are part of the same community corrections region and preferred to be analysed in that way. Also note, as you read through this material, that in St. Louis County in District 6 and in Ramsey County, District 2, the material is broken down beyond the county level so as to have greater meaning to court officials and related correctional staffs in those areas. Each of these refinements is elaborated in more detail as the material for that judicial district is described.

## TABLES

### INTRODUCTION TO THE TABLES

The information contained in the following tables is taken from direct interviewing, observations and impressions obtained through personal visits to the local court houses and related facilities in each county within the three judicial districts. We attempted to interview both judicial and court service representatives in district, county and juvenile court in each county. Early in our planning we developed an interview schedule based upon past restitution studies. This was used as a guide in our interviews.

This aspect of our data gathering was deliberately subjective in nature. Consequently, the judgements reflected by the data in the tables are documented impressions which in no way reflect a thorough knowledge of the workings of the systems. We feel, however, that these categories of analysis are useful and revealing. They represent in our opinion, a rich field for further probing and reflection by members of the local court systems. In this way they can be helpful starting points for discussion, planning workshops, and technical assistance.

If there is disagreement with our rankings, this should not deter from the usefulness of the analysis. We urge judges, probation officers and others in each local system to "try on" the categories of analysis for themselves with their own rankings for each of these items.

#### EXPLANATION OF CATEGORIES OF ANALYSIS:

As we viewed court systems in operation around restitution several categories emerged as fruitful areas of analysis. Following is a description of each:

##### I. Level of Sophistication in the Use of Restitution

We saw a wide range of sophistication in practice with the approaches taken to make the restitution alternatives available in various systems. We developed the following scale in an attempt to place each system on a scale reflecting increasing sophistication in implementing restitution.

1. Occasional unplanned use of financial restitution
2. Expressed intention toward expanding use of financial restitution
3. Systematic use of financial restitution already in use
4. Number 3 plus sporadic use of restitution options (for example some form of work service)

5. Expressed intention toward expanded use of restitution options
6. Systematic use of both financial and service restitution
7. Deliberate efforts to develop philosophy and program within a planning framework already evidenced
8. Systematic program evaluation already evidenced.

## II. System Consciousness

In our guided discussions with court personnel we often seemed to be getting feedback around a difficult to describe phenomenon which we have called "system consciousness." There were several aspects identifiable. It seemed that where judges and parole officers expected success with something they were trying they often experienced success. When they expected failure, they often experienced failure. Also, there was a varying sense of the court system as a conscious tool or instrument which needed care and nourishment since it was a vehicle by which a difficult and illusive social goal was to be accomplished in their communities. One part of this was the character of the relationships which exists between officers of the court, especially between judges and probation officers. Another part of it seemed to be related to where the staff energy went; how did the energy of officers of the court get expressed?

None of this related directly to the technical, legal or social problems, which all court systems need to keep confronting and solving. Rather it is an attempt to describe "system consciousness," the conscious perspective, not just of people in the system but of the various interacting elements of the system itself. We did not try to operationalize these rather esoteric categories but rather developed what appear to be some system indicators which are more concrete. They are as follows:

- A. Philosophy - To what extent is the philosophy of restitution held by people in the system clear and shared. Please note that the content of the philosophy is not an issue.
  1. Evidence of clashing or coercive activity between people.
  2. Philosophy is confused, unclear or unenunciated.
  3. There is accommodation only - by one party to another party; "I'm wearing it but it's not my hat."
  4. There is common understanding and agreement about philosophy.
  5. There is a dynamic and mutual process of philosophical evaluation and refinement.

- B. Role Agreement - To what extent are the roles of judge and parole officer clear in terms of their expectations and to what extent are each committed to being in that role.
1. Evidence of role clashing or coercion.
  2. Roles are unclear; confusion is evident.
  3. There is accommodation but no real commitment to the role by one or both parties.
  4. There is common agreement and commitment to the roles.
  5. Consciousness of the roles as being "transparent;" spontaneous and flexible use of the roles as tools.
- C. Mutual Support - To what extent do officers of the court support one another:
1. There is avoidance, manipulation or antagonisms.
  2. There is isolation, contact only when necessary.
  3. Support is shallow and over-professional; a common front but differences are buried.
  4. There is mutual respect, frequent supportive contact.
  5. Support and stimulation; a high degree of trust and security in the relationship.
- D. Initiative and Risk - To what extent do individuals in the system initiate or innovate. This is not meant to be an ideology scale such as liberal-conservative; rather it is to describe one's willingness to risk innovative ways to carry out one's belief.
1. Don't rock the boat.
  2. Occasional, unsupported individual initiative.
  3. Sporadic attempts at program innovation.
  4. Continuous, mutually supported program development.
  5. Depth dimension - continuous probing, evaluation of philosophy and program application.
- E. System Energy - How does the psychological energy of individuals in the system get expressed? Where does it go?
1. Quiet resistance - unwilling to express one's feelings but possibly resisting.



2. Carping and complaining, but not expressing disagreements in a useful way.
3. Passively accommodating to the system "I do my job."
4. Actively accommodating "I'm breaking my ass for the system."
5. Positive energy - work comes out of hopeful and positive mood.
6. Positive innovations at the individual level - beyond the standard work expectations.
7. Developing and organizing innovations at the program level (manifested through a growth-change oriented system).

### III. Collections and Records

This chart indicates what staff person in the system collects records. It also provides a simple assessment of what appears to be from an on-site inspection the effectiveness of the mechanical record keeping system, staff attitude toward the record keeping system, staff assessment of the value of the system, and whether service or financial restitution records need improvement. For scaling purposes, 1=poor; 2=OK - could be improved; 3=good.

### IV. Uses of Service Restitution

The extent to which a court system uses other than financial restitution is indicated in this table. The degree to which work service or community service is used is assessed as follows:

1. Used seldom or not at all.
2. Arranged on an individual basis.
3. Used with organized work placements --- less than 10 regularly participating.
4. #3 with more than 10 participating.
5. Offender recommends placement for him/her-self in consultation with the court.

### V. Victim-Offender Contact

Whether court personnel encourage or discourage contact between victim and offender in restitution cases is shown for each local court jurisdiction. Two ratings are used, since judge and probation officer within a given system may be at odds about the

value or usefulness of any direct contact between victim and offender. The scale values represent: Judges/PO's.

1. Victim-offender contact discouraged.
2. Victim-offender contact used sparingly.
3. Victim-offender contact recommended with proper screening.
4. Victim-offender contact actively encouraged and emphasized.

#### VI. Receptiveness to Technical Assistance

The vast majority of counties within these three judicial districts expressed interest in this project's review of their system of restitution. We felt that one factor suggesting the strength of their interest was an indication of the extent to which the officials of given court system were open to receiving technical assistance in relation to restitution activities. The scale used here accompanies the chart. (Since technical assistance was available to the county at no cost through this grant, receptivity to technical assistance was not construed as propaganda benefiting the author's).

## GENERAL DESCRIPTION

### DISTRICT 6 - ARROWHEAD REGION

Judicial District 6 is comprised of four counties in northeastern Minnesota including St. Louis, Lake, Cook and Carlton Counties. These four counties with the addition of Koochiching and Aitkin comprise the Community Corrections Region. At the request of the Community Corrections Department and the Regional LEAA staff, project staff elected to include Koochiching and Aitkin Counties as a part of the study. This would permit Community Corrections staff and the Arrowhead Economic Development staff to receive information on all of the counties within their planning district.

### COURT BY COURT DESCRIPTION

St. Louis County includes the City of Duluth as well as the Iron Range communities and has county court houses in Duluth, Hibbing, and Virginia with separate county judges in Hibbing and Virginia each serving identified portions of the county. For purposes of systems analysis (and for data analysis also), St. Louis County was treated as three counties with an analysis of each court system within the county presented in this report.

#### ST. LOUIS COUNTY - DULUTH

This city of approximately 100,000 people is served by a county court with three judges, Honorable Edmund Belanger, Honorable Thomas Bujold, and Honorable Harry Lathrop. Four judges sit on the district bench, including Honorable Donald Anderson, Honorable C. Luther Eckman, Honorable Jack Litman, and Honorable Donald Odden who is the Chief Judge of the Sixth Judicial District. One judge, Honorable Robert Campbell, presides over the juvenile court in Duluth as well as juvenile court in Hibbing and Virginia. Court services staff is likewise divided into four divisions including adult felony, adult misdemeanor, juvenile, and domestic relations.

The Probation Department retains a 10 percent collection fee for restitution payments which come out of the monies paid to the victims which is paid to General Revenue Fund and assists in supporting the system. The Clerk of County Court keeps records related to financial restitution in county court. (Mr. Hugh Nickels, County Court Officer, collects all fines and restitutions for county court cases.) Very little service restitution occurs at the district court level but is prevalent in the county court. There is, however, some interest indicated in service restitution on the part of district court judges.

At the county court level, there is a strong focus on financial and service restitution. An established service restitution program finds the probation office working with offenders through placement at municipal facilities, most noticeably through the city zoo. This was made possible through the City of Duluth covering these cases with workman's compensation.

At the juvenile court level, Judge Campbell is a strong force toward experimental uses of several programs, including restitution programming. Judge Campbell initiated a "learning assistance program" to augment educational progress of students who have learning difficulties and histories of delinquency. He is also experimenting with victim education programs and with employment programs for juveniles. Judge Campbell has encouraged victim-offender contact in several situations, and has come into conflict with PO's over this issue, and in some other areas of experimental programming.

Probation officers in Duluth tend to carry large caseloads (60 - 75+), with minimally adequate office space. St. Louis County - Duluth also has job specialist, Lurline Baker, who works mostly with district court cases for both county and juvenile court, and assists in the placement of offenders in jobs.

#### ST. LOUIS COUNTY - HIBBING

The court house at Hibbing serves the Hibbing-Chisholm area and the western end of St. Louis County and has one county judge, Honorable Gail Murray, and one district judge, Honorable Nicholas Chanak. The probation staff (6 PO's) operate with a common supervisor although they are divided with primary areas of responsibility.

Hibbing has a common bookkeeping system for county, district and juvenile court. PO's appear to be housed in very adequate quarters and have manageable caseloads. Hibbing has an established service restitution program with several agencies involved.

In district court little service restitution occurs and there is minimal financial restitution.

In county court, probation officer Glen Jakkala, and Judge Murray have developed an alternate sentencing type of service restitution program using community services. This program has been in existence for about one year with strong support from probation officers and the judge who are presently interested in evaluating that program.

In juvenile court, probation officer Cal Saari uses a victim witness program out of the city attorney's office and has initiated community service restitution on an individual basis.

District Supervisor Dick Rahja established and coordinated an accountability system for financial and service restitution, and appears to maintain administrative ease with the wide diversity of programming done by his staff (i.e., supporting the creative independence of probation officers such as Jakkala).

#### ST. LOUIS COUNTY - VIRGINIA

The court house at Virginia serves the eastern end of the range and has two judges chambered there, Honorable Ralph Harvey at the county level and Honorable Mitchell Dubow as a district judge. The probation staff of seven is divided into areas of primary responsibility across

the three courts. An accounting clerk in the probation office keeps records of all collections for financial restitution.

Little restitution occurs at the district court level.

At the county court level, probation officer Don Byman works with Judge Harvey and local police and sheriffs offices on a first-offenders program which operates out of several cities in the Virginia area. This program has been in operation for four years. It currently is organized in Virginia, Aurora, Hoyt Lakes, Ely, Evelyth, Biwabic and Gilbert and places offenders (98 percent of whom are shop lifters) in community service work with the city street departments, park departments, Department of Natural Resources, some non-profit organizations like the Salvation Army, community recreation projects, ski areas, etc.

With the juvenile court, the probation staff have experimented with service restitution on an individual basis and have experienced some difficulties. The collection function is also a problem for juvenile staff.

#### CARLTON COUNTY

Carlton County is served by two county judges, Honorable LaDean Overlie in juvenile court and Honorable Leonard Wilson who serves the county on a part-time basis. The staff of four probation officers has established a variety of restitution efforts in the community.

A program was developed last spring in county court modeled after the Winona program through the efforts of Probation Officer Mark Zuber and Judicial Officer Wilson. Community resources primarily in the City of Cloquet are currently used as work sites for service restitution in that program.

In the juvenile court, Probation Officer Nadine Smith has developed a youth council comprised of representatives of the youth serving systems in the community who meet in case conference on a regular basis. She and Bob Ames, the Director of a Cloquet Diversion Project, Directions, Inc., also have a close working relationship with juveniles in that area.

The Carlton Court work setting is pleasant and uncrowded with a strong sense of teaming among staff and apparently excellent relationships and communication with judges.

#### LAKE COUNTY

Lake County is served by one judge, Honorable Walter Egeland and one full-time probation officer who is assisted by the Cook County probation officer who handles the adults in the eastern section of Lake County.

The judge uses restitution programming on an individual basis, using county facilities for work sites. He is concerned about insurance coverage with work placements and is looking for a resolution of that issue as a way of broadening his use of restitution in the county. The judge has sponsored several service oriented restitution placements and views the experience as a good one.

#### COOK COUNTY

Cook County is served by the Lake County judge and one probation officer who is also responsible for the adults in the eastern portion of Lake County.

The Cook County Probation Officer, Jan McNally, is new, and over a short time, has established an excellent network of resources within this sparsely populated county covering a large geographical area. The county attorney and sheriff often team with the county judge and probation officer in developing alternative sentencing plans for adult county court cases.

In Cook County (as in Lake County), the court system is oriented toward the expanded use of restitution. The size of the caseload (75+ cases) and an enormous geographical territory seriously detract from expanded alternative sentencing. This liability is magnified by the serious lack of mental health and social welfare resources in this area.

#### KOOCHICHING COUNTY

This 9th Judicial District Court System includes a district judge, one county judge, and two probation officers assisted by a volunteer coordinator. Court staff coordinate closely with a new youthful offender diversion project under an LEAA grant.

The youthful offender diversion project uses work programs with some restitution. Some adults are also assigned to this program. The staff indicate an interest in expanding programs and are examining questions regarding the possibility of restitution for offenders returning from state incarceration, and union issues related to adult offenders working in community projects in which individuals were otherwise employed. (This issue also arose in Hibbing.)

#### AITKIN COUNTY

The county is also located in the Ninth Judicial District. Judge Graff and probation officer Leland Parent are currently developing a work service restitution program to augment the counties regular use of financial restitution and incarceration in the county jail. Interestingly, a local staff person attached to the Governor's Aesthetic Environment Program is assisting with these efforts.

CHART 1-A

<u>COURT SYSTEMS</u>	<u>*INDEX OF SOPHISTICATION</u>	<u>**SYSTEM CONSCIOUSNESS VARIABLES</u>					<u>ENERGY Judge/PO</u>
		<u>PHIL.</u>	<u>ROLE</u>	<u>SUP.</u>	<u>RISK</u>		
			<u>AGREEMENT</u>				
ST. LOUIS CO.							
DULUTH							
District	2	2	3	2	2	3/5	
County	5	2	3	3	3	/6	
Juvenile	5	1	1	1	2	7/2	
HIBBING							
District	3	4	4	3	1		
County	6+	4	4	4	5	7/7	
Juvenile	6	3	4	3	3	6/4	
VIRGINIA							
District	2	4	3	3	3		
County	6+	4	4	4	4	6/7	
Juvenile	4	1	3	2	2	6/3	
CARLTON							
District	3						
County	6	4	4	4	4	7/7	
Juvenile	7	4	4	4	4	7/5	
COOK							
District							
County	5	4	4	4	3	5/6	
Juvenile	6	4	4	4	3	5/6	
LAKE							
District							
County	5	3	3	3	3	6/3	
Juvenile	4	3	3	3	2	6/3	
KOOCHICHING							
District	3	4	4	3	2	4/4	
County	5	3	3	3	3	7/6	
Juvenile	6	3	3	3	4	7/6	
AITKIN							
District	3	2	3	2	2	2/3	
County	5	3	3	3	3	6/5	
Juvenile	4	3	3	3	3	3/3	

Blank indicates no assessment.

\* Please refer to category of analysis #1 on page 3 for an explanation of this chart.

\*\*Please refer to category of analysis #II on page 4 for an explanation of these charts.

CHART 2-A

COUNTY	WHO	*COLLECTIONS AND RECORDS				*** VICTIM -	OFFENDER
		MECH.	ATTI- TUDE	SEEMS HELPFUL	NEEDS IMPROVE.	**USES OF SERVICE REST.	CONTACT Judge/PO
ST. LOUIS							
DULUTH							
District	Cl. of Ct.	3	2	2	S	1	2/2
County	Cl. of Ct.	2	2	2	F	2	3/3
Juvenile	PO, Sec.	3	2	1	S	3	4/1
HIBBING							
District	Cl. of Ct.	3	3	2		2	2/2
County	Cl. of Ct.	3	3	3		3+5	3/3
Juvenile	PO, Sec.	3	3	3		2	4/3
VIRGINIA							
District	PO, Sec.	3	3	3		2	2/2
County	PO, Sec.	3	3	3		4	3/3
Juvenile	PO, Sec.	3	2	3	S	3	4/3
CARLTON							
District	Cl. of Ct.	3	3	3		2	3/3
County	Cl. of Ct.	3	3	3		2	3/3
Juvenile	PO, Sec.	3	3	3		3+5	3/4
COOK							
District	Cl. of Ct.	2	2	3		1	3/4
County	Cl. of Ct.	2	2	3	S	3	4/4
Juvenile	PO	2	2	3		3	4/4
LAKE							
District	Cl. of Ct.	2	2	3	S, F	1	3/3
County	Cl. of Ct., PO	2	2	3		2	4/3
Juvenile	PO	2	2	3		3	4/3
KOOCHICHING							
District	Cl. of Ct.	2	3	3	F	2	2/2
County	Cl. of Ct.	2	3	3	F, S	2	2/2
Juvenile	PO, Sec.	2	3	3	S	3	3/3
AITKIN							
District	Cl. of Ct.	3	3	3		1	2/2
County	Cl. of Ct., PO	3	3	3	S	3	/2
Juvenile	PO	3	3	3		3	/2

\*Please refer to category of analysis #III on page 6 for an explanation of this chart.

\*\*Refer to category of analysis #IV on page 6 for an explanation of this chart.

\*\*\*Refer to category of analysis #V on page 6 for an explanation of this chart.

F=Financial restitution; S=Service Restitution



CHART 3-A

COURT SYSTEMS      \*RECP. TO  
                                 TECHNICAL  
                                 ASSISTANCE

Receptiveness to technical assistance:

ST. LOUIS CO.

1. An expressed reluctance to receiving technical assistance.

DULUTH

District                      2  
County                        2  
Juvenile                      3

2. Willing to discuss technical assistance; no expressed commitment to actually receiving such assistance.

HIBBING

District                      2  
County                        4  
Juvenile                      2

3. Expressed interest in receiving technical assistance; actually unfocused as to specifically what they desired to change or improve.

VIRGINIA

District                      2  
County                        4  
Juvenile                      3

4. An expressed request for specific technical assistance.

CARLTON

District                      2  
County                        3  
Juvenile                      3

COOK

District                      2  
County                        3  
Juvenile                      4

LAKE

District                      2  
County                        3  
Juvenile                      4

KOOCHICHING

District                      4  
County                        3  
Juvenile                      3

AITKIN

District                      2  
County                        3  
Juvenile                      3

Blank indicates no assessment.

\*Please refer to category of analysis #VI on page 7 for an explanation of this chart.

## EVALUATION IMPRESSIONS - DISTRICT 6

Restitution options, particularly those in which some form of work service is substituted for financial payment, are important program additions in as much as the presence of these options makes restitution a viable alternative for lower income offenders. The potential for the expanded use of this form of restitution seems strong across this district. Hibbing, Virginia and Duluth, have established service restitution programs with some history and experience to them (Hibbing, perhaps the most creative, is also the newest of these). Carlton established a new effort last spring, an alternative sentencing program. Lake and Cook Counties have some fledgling programs with a strong interest in expansion. Koochiching and Aitkin are developing programs currently focused around work service concepts.

This region, with its able resources and interest in optional sentencing, needs and appears ready to use particular kinds of assistance to its courts to permit the appropriate expansion of programs. These could include:

1. Establishing forums for information sharing and support for judges regarding technical and legal issues related to restitution and exposure to the rich variety of efforts in restitution now in progress within the district and within the state.
2. Identifying common issues between counties and affixing central responsibility for the coordination of and attempts at resolution. For example, the issue of insurance coverage for offenders on service restitution arrangements might be handled on a regional basis, through community corrections. That may also be true of efforts to work with trade unions regarding their concern that work service placements not replace jobs for union members.
3. Some direct systems intervention (organizational development) may be useful with those jurisdictions evidencing internal conflicts related to role, philosophy, and relationships between various segments of the court staff. This is true of certain specific aspects of the court system within St. Louis County. In juvenile court the conflict revolving around victim-offender contact could use an airing. (This issue, incidentally also exists in other county courts although less close to the surface).
4. The provision of workshops or technical assistance around the technology useful for developing, monitoring, and evaluating service restitution projects would appear useful to those staff directly involved in establishing service restitution programs. Carlton, Cook, Koochiching, Aitkin are currently in these beginning restitution program phases.

5. Since service restitution (really, any sentencing option beyond what is commonly used) requires the cooperation and support of the community, and because probation officers and judges have themselves identified the importance of the PO's community involvement role, technical assistance and/or training related to the expanded relationship with the community seems appropriate throughout the region.
6. A collary of recommendation number one - PO's need an opportunity to share the wealth of their experience, particularly with the variety of restitution options -- service restitution arrangements, self-sentencing options -- expansion of work placements into broader sections of the community, etc. Certainly, expanded restitution programming calls for a realignment of the PO's role, a topic much in need of discussion between court officers who are involved in these role changes throughout the region.
7. Court services staff across these six counties are often unaware of the program innovations or the significant problems in which staff from another part of the region are involved. Some kind of communication vehicle for use between local staff's within the region would generate a broader based awareness of local developments, and promote a coordinated development of programs. There is, in fact, enough court service activity around restitution to consider establishing a regional newsletter specifically devoted to exploring the development of restitution sentencing alternatives.

## GENERAL DESCRIPTION

### DISTRICT 2 - RAMSEY COUNTY

Ramsey County is by far the largest system in our project; it comprises the City of St. Paul and surrounding suburbs and is by itself one complete judicial district. Ramsey is a community corrections act system serving a total population of approximately 470,000.

There are 12 judges of district court. One of these, the Honorable Archie Gingold, serves as Judge of Juvenile Court assisted by 2½ referees. There are eleven judges of municipal court who hold court in six locations; the Ramsey County Court House, St. Paul; and suburban courts in Roseville, New Brighton, White Bear Lake, North St. Paul, and Maplewood.

The Community Corrections Department is administered by an overall Executive Director Mr. Eugene Burns and is divided into three divisions: Adult Courts Division which serves both district and municipal court from three locations; Juvenile Court Division which serves juvenile court from seven locations; and the Support Services Division located in downtown St. Paul. The Department also administers three local institutions: The Ramsey County Workhouse, The Woodview Detention Center and Boys Totem Town.

The Support Services Division is responsible for managing and coordinating the Sentencing Alternatives for Volunteer Employment (SAVE) Program. Other than individual arrangements made by judges and probation officers this is the major resource for service restitution work placements. SAVE is an adult program and to date has four major cooperating agencies who assist with placements and provide supervision: The Salvation Army, Goodwill Industries, Union Gospel Mission, and the Guadalupe Area Projects. SAVE served 162 referrals in the year July '76 to June '77. (See attached report). Project REMAND, a Ramsey County Adult Diversion Project also refers clients to SAVE.

All three courts use both financial and service restitution in varying degrees:

District court judges use financial restitution moderately and there have been scattered examples of service restitution; to a limited extent arranged on a case by case basis but with an increasing number of referrals to the SAVE Program.

County court judges use both financial and service restitution widely. There is increasing use of the SAVE Program and some interest in expanding the range of its participating agencies. Also a substantial number of service restitution cases are arranged individually.

Juvenile court has no organized program strictly for service restitution but a special program for juvenile traffic cases has been organized through the cooperation and participation of the Youth Service Bureaus. This is a large program making available the resources of the Youth Service Bureaus in six locations. The program could probably be adjusted to handle restitution cases as well; currently, these are worked out on an individual basis and are used widely. Also the court emphasizes direct contact between victims and offenders where this is feasible and not seriously contraindicated.

#### RAMSEY COUNTY - INTERNAL SYSTEMS DESCRIPTION

District and municipal court judges, 23 in all, are chambered in the county court house in St. Paul. Municipal court judges rotate assignments to the five suburban courts listed elsewhere in this report. The Adult Courts Division of Community Corrections Department provides support to both courts on an integrated basis except that there are two central office investigative units, one for district court and one for county. These units do most of the PSI's, and the PO's, primarily from field units, handle cases after sentencing.

Clearly, the size of the system mitigates against the spontaneity sometimes seen in small rural court systems. Like many large public organizations, the adult court systems in Ramsey have a wide range of problems stemming from such factors as communication breakdowns, staff burn-outs resulting in cynagism and negatively placed energy, cramped work space, confusing and conflicting policies (due to more than one policy structure (formal and informal groups who apparently conflict frequently), and just plain overwork. As one might expect in a large system there is evidence of peer pressure among judges which apparently waxes and wanes from time to time. This manifests itself negatively in terms of some individual judges' hesitancy to experiment with non-traditional sentences.

There is some evidence of role disintegration between probation officers and judges. Some PO's are said to be primarily concerned with "psyching out the judge," i.e., trying to anticipate what kind of recommendation a particular judge would like rather than giving him (or perhaps pressing upon him) the best recommendation the PO can make from the perspective of a court services professional. This problem is not unique to Ramsey, it is common to many court systems; however, its dimensions in Ramsey seemed to receive more serious attention and concern from individual judges and some court services supervisors in Ramsey than elsewhere in the state.

Coordination and timing difficulties were raised as problems sometimes experienced by municipal court judges in getting PO's assigned to cases receiving sentences through suburban courts. This resulted in a tendency for some judges to choose sentences which do not involve court services, thus narrowing the sentencing options used in those

cases. Also, it would tend to reduce followup possibilities. While this is probably not a serious problem in that it would seem to be quite resolvable, it is indicative of communication blocks and system rigidity.

The foregoing is a compilation of problems observed in the Ramsey Adult Courts; and while it is not exhaustive, neither is it indicative of overall system functioning. There are many strengths. Many judges consistently develop thoughtful and innovative approaches to difficult problems. There has obviously been much thought and discussion given to problems with the use of restitution by both judges and PO's. A substantial number of court services staff under Mr. Robert Hanson, Director of Adult Court Division, are seriously and creatively engaged in system improvements, upgrading performance standards and improving working conditions.

The SAVE Program, described earlier, is such an innovation which is related specifically to service restitution. The REMAND Diversion Program which uses both types of restitution extensively is another such innovation. Significant leadership in the creation of both of these programs was provided by the municipal bench.

The Support Services Division administers or coordinates a wide range of services and specialized programs including SAVE which is under the aegis of Mr. Art Cartrette. This division under the overall direction of Mr. Robert Nelson is currently engaged in a major management development effort aimed at goal setting and outcome evaluation. While this effort has not yet gained the general support of line staff, it is intended, when fully operational, to provide a planning and accountability system at all levels including individual case management.

Juvenile judge, Honorable Archie Gingold, spoke of restitution as "a higher concept" than other disposition options available; he views restitution as "having great therapeutic value." This perspective is reflected in practice throughout the juvenile court system. While a number of the system problems enumerated in regard to the adult courts are also present in the juvenile system there appears to be a closer commonality of philosophical agreement throughout. This is predictable since both District Court and Municipal Court are multi-judge systems and Ramsey Juvenile Court is not.

Mr. Michael Geraghty directs the Juvenile Court Division which is divided into seven units, each in a separate location. Emphasis in restitution is on individual arrangements on a case by case basis. However, there appears to be an awareness on the part of units of the particular social characteristics present in the different neighborhoods served by different units and an attempt to respond to them differently. This is reflected for instance in varying emphasis on family systems, school and recreation systems, etc. in varying parts of the country.

There is scattered line staff resentment of what is expressed as additional work required by restitution dispositions; for example, more person contacts, more paper work, more time. (All systems have some staff "grumbles" in them!)

Judge Gingold emphasizes carefully controlled victim-offender contact as part of the therapeutic process referred to above. There is some disagreement and resistance about this on the part of some Juvenile Court Division staff. This seems to be a philosophical issue of more universal manifestation than just in Ramsey since it also occurs in St. Louis County and elsewhere. (See a discussion of this issue in the "Restitution Issues" section of this report.)

An interesting community development should be noted in reference to the Ramsey Juvenile System. A volunteer association of juvenile officers has evolved over the years which apparently has significant positive impact on juvenile service systems in the county. This group has representation from the Juvenile Divisions of the St. Paul and Suburban Police Departments, the sheriffs office, juvenile court, community corrections workers, and various other youth serving institutions. It provides a forum separate from official planning and administrative structures and allows for additional entrances to the world of "inter-agency politics" by concerned professionals and others.

The Juvenile Police Divisions are said to make serious attempts to deal with minor juvenile crime through service referrals (youth service bureaus, etc.) before resorting to bringing a complaint before juvenile court. This ameliorates the problem of flooding the court with an impossible number of cases, so common in many urban areas. Correspondingly, the juvenile court system tries to keep an informal agreement that a minimal number of cases will be screened out provided that all reasonable efforts to find other solutions are pursued in good faith.

Many people in the over-all Ramsey County Criminal Justice System express ambivalence in regard to the Community Corrections Act in which the system is a participant. Discussion usually centers around money. Some people in the Ramsey System feel that because they are in a large metropolitan area the system must absorb many "immigrants" from out-state court systems and this puts greater financial demands on the system. This impinges on restitution. If these sentences are more expensive to monitor and supervise as some believe, then newcomers with unmet restitution responsibilities are a greater burden. On the other hand if restitution is an alternative to a more expensive disposition it could be a more economical disposition in local cases. The issue of the reactive expense of restitution cases over other dispositions is not at all clear and probably should be addressed at a broader level than in Ramsey. Also, questions related to the cost of service case transfers into metropolitan areas and appropriate subsidy through Community Corrections Act funds to underwrite these costs are currently unresolved.

CHART 1-B (1)

INDEX OF SOPHISTICATION

RAMSEY\*\*

<u>Adult</u>		<u>Description of Index*</u>
District Judges	Range 1-4	1. Occasional unplanned use of financial restitution.
District PO's Central Office	Range 1-4	2. Expressed intention toward expanding financial restitution.
District PO's Field	Range 1-4	3. Systematic use of financial restitution.
Municipal Judges	1 Judge @ 7 Others @ 6	4. #3 plus sporadic restitution options.
Municipal PO's Central Office	5	5. Expressed intention to expand restitution options.
Municipal PO's Field	5	6. Systematic use of both financial and service restitution.
<u>Juvenile</u>		7. Efforts to develop philosophy and program within planned framework.
Juvenile Judge	4	8. Systematic program evaluation
Juvenile PO's Central Office	4	*For explanation of this material, please refer to page 3.
Juvenile PO's Field	4	

\*\*NOTE: Since District 2 (Ramsey) is a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.



CHART 1-B (2)

SYSTEM CONSCIOUSNESS VARIABLES

PHILOSOPHY

RAMSEY\*\*

<u>Adult</u>			<u>Description of Index*</u>
District Judges	S	3	1. Clashing/coercive.
	O	4	2. Confused/unclear.
District PO's	S	2	3. Accomodation only.
Central Office	O	2-4	4. Common understanding and agree-
District PO's	S	2-3	ment.
Field	O	2-3	5. Dynamic and mutual process of
Municipal Judges	S	3-4	refinement.
	O	9 @ 3-4	
		2 @ 5	
Municipal PO's	S	2	*For explanation of this material,
Central Office	O	3	please refer to page 4.
Municipal PO's	S	2	
Field	O	2-3	

Juvenile

Juvenile	S	4
Judge	O	4
Juvenile PO's	S	2-4
Central Office	O	3-4
Juvenile PO's	S	3-5
Field	O	3-4

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S compares that group with itself (i.e., other judges, etc.).

O compares that group with other groups (i.e., judges with PO's, etc.).

CHART 1-B (3)

SYSTEM CONSCIOUSNESS VARIABLES

ROLE AGREEMENT

RAMSEY\*\*

<u>Adult</u>			<u>Description of Index*</u>
District Judges	S	3	1. Clashing/coersive.
	O	3	2. Confused/unclear
District PO's	S	3	3. Accomodation only.
Central Office	O	3-4	4. Common agreement.
District PO's	S	3-4	5. Transparent roles.
Field	O	3-4	
Municipal Judges	S	4-5	
	O	4	*For explanation of this material, please refer to page 5.
Municipal PO's	S	4-5	
Central Office	O	4	
Municipal PO's	S	4	
Field	O	3	

Juvenile

Juvenile	S	4
Judge	O	4
Juvenile PO's	S	4
Central Office	O	4
Juvenile PO's	S	5
Field	O	4

\*\*NOTE: Since District 2 (Ramsey) is a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: Judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.

S compares that group with itself (i.e., other judges, etc.).  
O compares that group with other groups (i.e., judges with PO's, etc.).

CHART 1-B (4)

SYSTEM CONSCIOUSNESS VARIABLES

MUTUAL SUPPORT

RAMSEY\*\*

<u>Adult</u>			<u>Description of Index*</u>
District Judges	S	3	1. Avoidance/manipulation.
	O	3	2. Isolation.
District PO's	S	3	3. Shallow support.
Central Office	O	3-4	4. Mutual respect.
District PO's	S	3-4	5. Support, stimulation and trust.
Field	O	3-4	*For explanation of this material, please refer to page 5.
Municipal Judges	S	4-5	
	O	4	
Municipal PO's	S	4-5	
Central Office	O	4	
Municipal PO's	S	4	
Field	O	3	

Juvenile

Juvenile	S	4
Judge	O	4
Juvenile PO's	S	3
Central Office	O	4
Juvenile PO's	S	4-5
Field	O	4-5

\*\*NOTE: Since District 2 (Ramsey) is a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.

S compares that group with itself (i.e., other judges, etc.).  
O compares that group with other groups (i.e., judges with PO's, etc.).

CHART 1-B (5)

SYSTEM CONSCIOUSNESS VARIABLES

INITIATIVE AND RISK

RAMSEY\*\*

<u>Adult</u>			<u>Description of Index*</u>
District Judges	S	1-3	1. Don't rock boat.
	O	2-4	2. Individual initiative only.
District PO's	S	1-2	3. Sporadic innovation.
Central Office	O	1-2	4. Continuous program development.
District PO's	S	1-2	5. Depth dimension.
Field	O	1	
Municipal Judges	S	2-4	
		2 @ 5	*For explanation of this material,
	O	1-4	please refer to page 5.
		2 @ 5	
Municipal PO's	S	1-3	
Central Office	O	1-3	
Municipal PO's	S	1-3	
Field	O	1-2	

Juvenile

Juvenile	S	4
Judge	O	4
Juvenile PO's	S	1-3
Central Office	O	3-4
Juvenile PO's	S	3-4
Field	O	3-5

**\*\*NOTE:** Since District 2 (Ramsey) is a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.

S compares that group with itself (i.e., other judges, etc.).

O compares that group with other groups (i.e., judges with PO's, etc.).

CHART 1-B (6)

SYSTEM CONSCIOUSNESS VARIABLES

SYSTEM ENERGY

RAMSEY\*\*

<u>Adult</u>			<u>Description of Index*</u>
District Judges	S	3-6	1. Quiet resistance.
	O	4-6	2. Carping and complaining.
District PO's	S	3-4	3. Passive accommodation.
Central Office	O	3-4	4. Active accommodation.
District PO's	S	2-3	5. Positive energy.
Field	O	2-4	6. Positive individual innovations.
Municipal Judges	S	5	7. Organizing innovations at
	O	5-7	program level.
Municipal PO's	S	3-5	
Central Office	O	4-5	
Municipal PO's	S	Small group	*For explanation of this material, please refer to page 5.
Field		@ 1-2; Large	
		group @ 4-5;	
		Few ind. @ 6	
	O	Large group	
		@ 1-2; rest	
		scatter from	
		3-6	

Juvenile

Juvenile	S	6
Judge	O	6
Juvenile PO's	S	1-2
Central Office	O	2-4
Juvenile PO's	S	2-4
Field	O	2-4

\*\*NOTE: Since District 2 (Ramsey) is a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.

S compares that group with itself (i.e., other judges, etc.).  
O compares that group with other groups (i.e., judges with PO's, etc.).

CHART 2-B

<u>RAMSEY</u>	<u>WHO</u>	<u>COLLECTIONS AND RECORDS</u>				<u>*USES OF SERVICE REST.</u>	<u>**VICTIM - OFFENDER CONTACT Judge/PO</u>
		<u>MECH.</u>	<u>ATTI-TUDE</u>	<u>SEEMS HELPFUL</u>	<u>NEEDS IMPROVE.</u>		
District	PO, Sec.	3	2	2	S	1,2	2/2
County	PO, Sec.	3	1,2	1,2		3	2/2
Juvenile	PO, Sec.	3	2,3	3	S	2+5	4/2

S = Service Restitution

This chart indicates what staff person in the system collects records. It also provides a simple assessment of what appears to be from an on-site inspection the effectiveness of the mechanical record keeping system, staff attitude toward the record keeping system, staff assessment of the value of the system, and whether service or financial restitution records need improvement. For scaling purposes, 1=poor; 2=OK - could be improved; 3=good.

\*Uses of Service Restitution

1. Used seldom or not at all.
2. Arranged on an individual basis.
3. Used with organized work placements --- less than 10 regularly participating.
4. #3 with more than 10 participating.
5. Offender recommends placement for him/her-self in consultation with the court.

\*\*Victim-Offender Contact

1. Victim-Offender contact discouraged.
2. Victim-offender contact used sparingly.
3. Victim-offender contact recommended with proper screening.
4. Victim-offender contact actively encouraged and emphasized.

CHART 3-B

<u>RAMSEY *</u>	<u>RECP. TO TECHNICAL ASSISTANCE</u>	Receptiveness to technical assistance:
Dist. Judges	2 1 Judge @ 4	1. An expressed reluctance to receiving technical assistance.
District PO's Central Office	3	2. Willing to discuss technical assistance; no expressed commitment to actually receiving such assistance.
Dist. PO's Field	2	3. An expressed interest in receiving technical assistance; actually unfocused as to specifically what they desired to change or improve.
County Judges	3 2 Judges @ 4	4. An expressed request for specific technical assistance.
County PO's Central Office	2 Director of Adult Services @ 4	
County PO's Field	2	
Juvenile Judge	3	
Juvenile PO's Central Office	2	
Juvenile PO's Field	3	

\*NOTE: Since District 2 (Ramsey) a large metropolitan county with three complex court systems the standard table we have used in the other multiple county districts would not tell us much; consequently we have broken Ramsey court systems down further: judges; central office PO's; field PO's. Since there are relatively large numbers of people in each category a range is often indicated.

## EVALUATION IMPRESSIONS - DISTRICT 2

Restitution as a sentencing adjunct or sentencing alternative is alive and well in Ramsey County. Several areas can be identified, however, where improvements would be helpful. These tend to be areas which impinge on overall system functioning and consequently would improve additional aspects of the system, not just restitution programming.

A look at who really makes overall policy for the system would be of benefit. Is it primarily the Community Corrections Advisory Board, the Criminal Justice Coordinating Council, or is it an informal and interlocking network of influential persons? What parts are played by the Community Corrections Administrator or various judges? How intricately involved in policy development (as opposed to review and approval) is the County Board? Is policy made through a systematic (or non-systematic) interplay of all of these?

Ramsey is currently undertaking efforts to address problems of staff morale, planning and evaluation, management development, communications, and the like. Interweaving discussion of restitution issues, detail problems which staff relate to restitution, etc. with this overall process would be beneficial. Some specifics common to large systems which relate to management and morale issues in Ramsey include:

- Cynicism of some field staff. This emerges as energy committed to showing and telling how nothing works and many things are difficult if not impossible (including but not limited to restitution cases).
- Philosophical disagreements which become rallying points for speculation, fantasy, and negative labeling; these sometimes become embellished beyond the original issue and become a drain on energy. Basically, this is a problem involving communications and conflict management. Disagreements may or may not involve restitution.

The opportunity to set-aside time in formats such as seminars and workshops where the subject of restitution, past experience with it and possible future directions could be discussed by judges, administrators and PO's would be greatly beneficial.

The issue of restitution payments to insurance companies is an important one in Ramsey. Nearly all points of view on this issue are represented by people in the system, ie., insurance companies should - should not be reimbursed. Discussion and development of some approach to deal with this issue (not necessarily a common policy) as well as other similar issues could be accomplished.

There is a need for further development of a more clear and common focus and direction on restitution planning and programming. The diverse, scattered and unclear nature of restitution efforts, with the exception of institutionalized restitution programs such as SAVE and REMAND point to the need for such an effort.



## GENERAL DESCRIPTION

### DISTRICT 3 - SOUTHEASTERN MINNESOTA

Judicial District Three is made up of eleven counties in southeastern Minnesota. The judicial district includes five district judges and 15 county judges. There is one community corrections area within the district which includes Dodge, Olmsted and Fillmore Counties. In the Community Correction Counties the county judges share duties in Olmsted and Dodge Counties for adult and juvenile offenders. A single judge located in Preston handles Fillmore County cases for both adults and juveniles. District court judges share judicial duties within the three community corrections counties. Probation officers for the three counties are organized under one court service director and handle district and county probation cases. The main office is in Rochester with one probation officer located in Matorville and Preston.

In the remaining eight counties there are separate county judges and county court services offices. One district judge located in Winona and two state probation officers located in Winona cover the district cases for Wabasha, Winona and Houston Counties.

Three state probation offices located in Owatonna cover district cases for the remainder of the Third Judicial District, (Rice, Steele, Waseca, Freeborn and Mower Counties). Three district judges share duties for this five county area and are officed in Mower, Rice and Freeborn Counties. Judicial District #3 is located within the Region 10 Economic Development Area (office Rochester) with the exception of Waseca County located in Region 9 Area.

### COURT BY COURT DESCRIPTION

#### WINONA COUNTY

Winona has strong restitution programs in both juvenile and adult county courts. The adult county restitution program is well planned and developed with its primary focus on treatment and a strong secondary focus on victim and community justice. The primary quality of this program that distinguishes it from most restitution programs in the state is its self-sentencing innovations. Another important aspect of the program is the large amount of "volunteer work service" as community restitution.

The program developed by Judge Challeen and probation officer Heinlein operates as follows: The county adult court offender receives a PSI from court services prior to court appearance. At the end of the court hearing the disposition includes as an option, restitution in the cases where the offense caused personal damage or damage

to the community (shop lifting, disturbing the peace, destruction of public property, public drunkenness, etc.). The jail sentence and fines are stayed or reduced depending on the option selected by the offender. Usually immediately after court the offender sits down with the probation officer and discusses the concept of restitution and the option of restitution for fines or jail sentence. In cases usually excluding property damage or bad checks, volunteer work service projects are discussed. The offender is encouraged to be creative in designing his own volunteer work restitution commensurate with his talents or knowledge of a particular community need. Some offenders elect to pay fines, although most select a volunteer work project. The amount of volunteer work service is equal to the fine, calculated at two and one-half dollars an hour. The decision about doing restitution may take two or more sessions with the probation officer. The supervisors of community agencies notify court services when work service is completed. The clerk of court collects financial restitution and notifies court services. The originators of the restitution project claim a low recidivism rate as a result of the evaluation completed last year on the Adult County Court in Winona.

The juvenile court restitution program is less defined but used extensively. Both financial and work service restitution are used as a correctional activity for the offender during 60-90 day continuences, and as part of probation. When possible the judge encourages direct contact between offender and victim. Some difficulty arises in the collection of financial restitution with juveniles due to their lack of a personal income plus the courts inclination to discourage payments made by parents of the offender. The clerk of court collects financial restitution. Both juvenile and adult court services has enough staff to devote time to restitution case followup and development of community projects for volunteer work services.

#### HOUSTON COUNTY

Houston County is less populated than other counties, has one probation officer and a new judge. At the time of the study staff were located in temporary offices and records were not available for the survey portion of the project. Quarterly corrections reports were shared.

Not a great deal of financial restitution or work service is presently done due to the recent turnover of both judge and PO in the county. Earlier experience with restitution programs were somewhat unsatisfactory for community members, creating an additional problem.

While the judge and probation officer have interest in increasing restitution as a disposition option, some financial restitution is presently being done with juveniles and in most adult property misdemeanors when insurance does not protect the victim. There is also financial resititution for bad checks.

## WABASHA COUNTY

Wabasha County has a small population, and is served by a county judge and one probation officer. Wabasha County is included with Winona and Houston Counties for district court.

The Wabasha judge, Honorable Dennis Weber is relatively new to the bench and interested in more systematically utilizing expanded restitution options beyond the already systematic use of financial restitution with adult misdemeanants and juveniles. Probation officer Jerry Weigenant has on occasion sponsored small service restitution projects with juveniles and has helped organize a youth services committee with local school districts. These staff express a desire to hold the court up to the community as a model of justice and fairness. They look to increase mid-range sentencing options as a vehicle toward that end.

Financial restitution is handled through the probation office with money payments recorded through the office of the clerk of court.

## WINONA, WABASHA AND HOUSTON COUNTIES

These three counties comprise a district court circuit, with a judge chambered in the Winona Court House and two state probation officers officed in downtown Winona.

Financial restitution is routinely done if the offender remains in the community. Probation officer Steve Holmquist uses a payment schedule for restitution and also collects district court expenses from offenders. Holmquist also uses promissory notes when restitution payments remain incomplete at the termination of the sentence. Some sporadic service restitution has also been done here.

District court personnel are currently debating use of restitution following an offenders release from a state penal institution (a debate also occurring in some other jurisdictions --- St. Louis and Koochiching Counties, for example).

## COMMUNITY CORRECTIONS

### DODGE, FILLMORE, AND OLMSTED COUNTIES

Through community corrections and input from a variety of citizen advisory groups a wide variety of services are available in the criminal justice system here.

Court services are organized into two service units providing probation and other services to juvenile court, adult misdemeanants and district court offenders. There are eight probation officers and one volunteer service coordinator. There are also field offices in

Preston and Mantorville. Two district judges and four county judges serve the three county area.

The specific uses of restitution vary from county to county and court to court in the Community Corrections Area.

A diversion program located in Rochester provides opportunity for restitution in the form of contracts for diversion in juvenile, county adult and district cases approved by the presiding judge and supervised by the probation officers. Jail personnel are also heavily involved in the diversion program.

There also is significant financial restitution in Olmsted County for juveniles and some work service restitution through voluntary public agencies. Some financial restitution for juveniles exists in Preston and Mantorville. A slight variation exists in juvenile dispositions in Preston where almost all work service is not actually restitution but is viewed as a punitive consequence for the offender. In this case, juveniles may be required to both make financial restitution (reparation) and perform work service as a consequence of their offense against the community.

In all three counties significant numbers of county court adults make financial restitution without supervised probation. Recent efforts in Olmsted County to do PSI's for adult misdemeanants through volunteer services may increase the number of restitution cases receiving probation supervision. Usually the reduction of a fine or jail sentence is the main tool to encourage restitution payments.

Financial restitution is collected by the court services office in Olmsted except county adult cases not on probation. These are collected by the clerk of court. In Preston court services collects restitution for juveniles while the sheriff or clerk of court collects for county adult cases.

Some specific problems related to this system's effectiveness with restitution efforts were expressed, and included:

- Philosophical disagreements with little communication between judges.
- Infrequent or poor communication between probation officers and judges except in field offices.
- Some probation officers dissatisfaction with the collection role in restitution cases.
- Some difficulty in collecting financial restitution with juvenile cases particularly when dollar loss to the victim(s) was large.
- There also is no consensus or shared mission regarding the purpose and use of restitution. This impedes their capacity to mobilize the court services programs around a common objective. It also complicates the development of community support.

## FREEBORN COUNTY

The county seat of Freeborn is in Austin where a fairly well defined program in juvenile restitution has been going on since 1971. Recently the new county adult judge has expressed an interest in using court services for possible restitution alternatives. In the past, there was little or no restitution dispositions in county adult court.

The communication between court services and county judges is excellent and has resulted in an extensive work service program. Some work service for juveniles is substitute victim restitution with local voluntary agencies. Another part of the work service program is not used for restitution, rather as a court sanction against offenders.

The court service officers frequently recommend restitution to the judge, and for juvenile dispositions frequently set the amount and arrangements for payments or work service. The court service office collects restitution payments for juveniles and county court adults on probation. The juvenile judge and probation officer agree that restitution provides a form of treatment balanced with victim justice. The staff encourages juveniles rather than parents to pay restitution. Beginning in 1978 an additional probation officer will be added to coordinate the work service program.

Two difficulties experienced with restitution were described. They include collection problems when victim losses are large, and similar difficulties with collections when insurance companies claims are inflated due to exaggerated claims.

## WASECA COUNTY

Waseca County has one county judge and one probation officer.

The judge and assistant county attorney expressed interest in increasing the use of restitution. Current numbers of restitution cases are small and done primarily with juveniles. There is little work service restitution although there is a small work service program with the County Highway Department. Since the numbers involved in restitution (financial or work service) are small, the court service officer preferred to handle juveniles on an individualized basis rather than setting up programs which would not fit the needs of a comparatively small county. The court services officer stressed the importance of differential treatment of juveniles (which are about 90 percent of his case load).

Occasionally restitution is ordered for county adults; frequently without probation, paid through the clerk of court. The court services officer handles juvenile restitution payments. At the time of the visit a group home in Waseca was calling together staff involved in the criminal justice system to discuss restitution along with some other issues. In addition, the courts works closely with the county sheriff using "Huber Law" jail sentences, some of which are restitution for uncovered checks.

## MOWER COUNTY

Austin is a strong union town and the county seat where two judges are chambered. Three court services staff provide probation and other services primarily to juveniles. For juveniles both financial and work service restitution is ordered as a condition of probation as a result of 60-90 day continuances. There is frequent communication between court services and the juvenile judge. Both full and partial restitution is ordered for juveniles. The probation officers collect money and keep track of financial and work restitution. County work service is limited because of concern over possible problems with unions. For juveniles there is difficulty finding part-time jobs for youth who have to pay large amounts of restitution. Parents are also discouraged from paying restitution for juveniles.

County adult offenders are generally ordered to pay restitution without ordering probation. In most cases the probation officer collects these payments. There is limited contact and communication between county adult court and court services staff. By 1978 adult county court will have a new probation officer assigned.

Collection of non-probation restitution in adult county cases has been difficult, due in part to the financial capabilities of offenders.

## STEELE COUNTY

The judge and probation officers have a well defined program for restitution with juveniles and adults. The restitution emphasis is on victim justice. This differs from most counties by encouraging victim-offender contact and direct financial payment to victims. Little work service restitution as a payment to a substitute victim is done. A large work program involving county work projects is used as a punitive consequence for juveniles and for some adults. While the work program provides a way for offenders to work off their "debt to society," it is not considered restitution.

Restitution for juveniles may occur as a condition of a continuance or as part of probation. Court services collects restitution payments when not made directly to the victim.

Steele County court personnel are characterized by good communication and common shared philosophy between probation officers and the judge.

## RICE COUNTY

Two county judges and three probation officers are located in Faribault with one field probation office located in Northfield. They provide restitution options which are now beginning to be further organized into a structured program. Increased interest on the part of newly selected judges, and the addition of a new probation officer to coordinate work service program, indicates further program development.

Presently restitution is ordered in juvenile cases with both financial restitution and work service restitution. A great deal of public work service (non-restitution) is ordered; much of it performing

county work projects. County court services focuses primarily on juveniles. A juvenile diversion project supported by police and the county sheriff provide an optional use of restitution. The probation office collects financial restitution.

Some county adult restitution is done, most of it financial restitution. Another option used in adult county cases is a jail program which provides some basic skills training and contact with the local vocational technical school.

There is good community support for work service programs and good communication between court services and county judges. Probation officers accept and deal with all mechanics of restitution (amount, payment, collection, etc.) in this system.

There is difficulty collecting restitution when the amounts are large. The focus on restitution with juveniles is treatment (instilling responsibility) while adult restitution is more victim justice oriented.

#### DISTRICT COURTS

(Steele, Waseca, Rice, Mower and Freeborn)

Restitution in district court is discussed together for these five counties since three state probation officers provide probation services and are located together in Owatonna (Steele County).

The probation officers at the time of the interviews supervised some probation cases with restitution. Although the probation officers support the concept of restitution they have difficulty collecting payments (handled personally through an office checking account). Also these district probation restitution cases involved larger sums of money than most county court cases. There is almost no work service restitution in district court here.

One of the three district judges raised a number of legal issues regarding restitution. They were predominantly constitutional. Does restitution create discrimination by class because low income persons can pay neither restitution nor a fine, and may be incarcerated because they cannot pay restitution and cannot meet the conditions of probation? Also was the failure to make restitution, thereby forfeiting probation and receiving incarceration tantamount to cruel and unusual punishment and creation of a debtors prison. These kinds of concerns may restrict the judge's use of restitution options.

Staff also mentioned the often cited difficulty collecting payments from low income offenders, and experienced problems with inflated amounts sometimes established by victims.

CHART 1-C

SOUTHEAST	INDEX OF SOPHISTICATION	SYSTEM CONSCIOUSNESS VARIABLES					ENERGY Judge/PO
		PHIL.	ROLE		SUP.	RISK	
			AGRFEMENT				
WABASHA							
County	4	2	3	3	3		5/3
Juvenile	5	2	3	3	3		5/3
HOUSTON							
County	2	3	3	3	2		3/3
Juvenile	3	3	3	3	2		3/3
WINONA							
District	5	3	2	2	2		
County	8	5	5	5	5		7/7
Juvenile	6	3	3	3	3		5/6
3 Co. Dist.	5	4	3	3	3		/4**
OLMSTED							
3 Co. Dist.	3	2	3	2	2		/4**
County	6	3	4	4	4		6/4
Juvenile	6	2	3	2	3		4/4
FILLMORE							
County	3	3	3	3	3		4/4
Juvenile	3-4	3	3	3	3		5/4
DODGE							
County	4	3	3	3	3		3/3
Juvenile	4	3	4	3	3		4/4
*RICE							
County	6	4	4	4	4		5/5
Juvenile	6	4	4	4	4		5/5
*MOWER							
County	4	3	3	3	2		3/ **
Juvenile	6	4	4	4	3		5/5
*WASECA							
County	3	3	3	3	2		3/3
Juvenile	3	3	3	3	2		3/3
*FREEBORN							
County	4	3	3	4	3		5/5
Juvenile	6	4	4	4	4		6/6
*STEELE							
County	7	5	4	4	4		5/5
Juvenile	7	5	4	4	4		5/5
*5 County Dist.	1-2	3	3	2	2		3/4

\*\*Blank indicates no assessment.



CHART 2-C

SE - DISTRICT 3

	WHO	COLLECTIONS AND RECORDS				USES OF SERVICE REST.	VICTIM - OFFENDER CONTACT Judge/PO
		MECH.	ATTI- TUDE	SEEMS HELPFUL	NEEDS IMPROVE.		
WABASHA							
Adult	Cl. of Ct., PO	3	3	3		1-2	2/1
Juvenile	Cl. of Ct., PO	3	3	3		1-2	2/1
HOUSTON							
Adult	Cl. of Ct.	3	3	3		2	2/2
Juvenile	Cl. of Ct.	3	3	3		2	2/2
WINONA							
Adult	Cl. of Ct.	3	3	3		5	3/3
Juvenile	Cl. of Ct.	3	3	3		4	3/3
3 Co. Dist.	Cl. of Ct.	3	3	3		2	2/2
OLMSTED							
Adult	PO, Cl. of Ct.	2	2	1	F	2	2-3/1-2
Juvenile	PO, Sec.	3	2	2	F+S	3	2/1-2
FILLMORE							
Adult	Sheriff,	2	3	2	F	2	2/2
Juvenile	Cl. of Ct.						
	PO, Sec.	2	3	2		2	2/2
DODGE							
Adult							
Juvenile							
3 Co. Dist.	PO, Sec.	2	2	2	S	1	2/2
RICE							
Adult	Sec.	2-3	3	2-3		2	2/2
Juvenile	Sec.	2-3	3	2-3	S	3	2/2
MOWER							
Adult	PO	2	3	2		2	2/2
Juvenile	PO	2	3	2		2	3/2
WASECA							
Adult	Cl. of Ct., Sher.	2	3			1	2/2
Juvenile	PO, Sec.	2-3	3	3		2	2/2
FREEBORN							
Adult	PO, Sec.	2-3	3	2-3		2	1/2
Juvenile	PO, Sec.	2-3	3	2-3	S	3-4	2/2
STEELE							
Adult	PO, Sec.	3	3	3		2-NA	4/4
Juvenile	PO, Sec.	3	3	3		2-NA	4/4
5 Co. Dist.	PO	2	1	2	F	1	2/2

\*Adult and juvenile means county court. Where district court appears it includes the counties above.

F=Financial restitution; S=Service restitution

CHART 3-C

<u>SOUTHEAST</u>	<u>RECP. TO TECHNICAL ASSISTANCE</u>
WABASHA	
County	3
Juvenile	3
HOUSTON	
County	4
Juvenile	4
WINONA	
District	2
County	4
Juvenile	3
3 Co. Dist.	3
OLMSTED	
3 Co. Dist.	2
County	3
Juvenile	3
FILLMORE	
County	3
Juvenile	3
DODGE	
County	2
Juvenile	2
*RICE	
County	3
Juvenile	3
*MOWER	
County	2
Juvenile	3
*WASECA	
County	3
Juvenile	3
*FREEBORN	
County	3
Juvenile	3
*STEELE	
County	2
Juvenile	2
*5 County Dist.	4

Receptiveness to technical assistance:

1. An expressed reluctance to receiving technical assistance.
2. Willing to discuss technical assistance; no expressed commitment to actually receiving such assistance.
3. An expressed interest in receiving technical assistance; actually unfocused as to specifically what they desired to change or improve.
4. An expressed request for specific technical assistance.

### EVALUATION IMPRESSIONS - DISTRICT 3

There is a wide variety of uses and program development levels in restitution for District 3. Juvenile restitution on the whole is more commonly developed and used. County adult restitution varies in use. In many counties adult county probation is not used or used to a limited extent. That would mean additional probation officers or other staff may be needed if county adult restitution was expanded into planned programs, particularly work service restitution.

Most counties have work service programs and seem to be adding staff to coordinate these programs. Some of the work programs are not used for restitution but they do seem to have the potential to include work service restitution.

There are four county judges with less than one year experience which accounts for some limited uses of restitution in those areas although each expressed interest in expanding restitution in specific ways.

There are several interesting restitution or restitution related programs in the district worth noting. The Winona County Adult Restitution Program is highly developed and is an excellent example of the use of self sentencing, volunteer work service restitution and community involvement. The community correction area (Olmsted, Dodge, Fillmore) provides the greatest variety of services useful in alternative sentencing including diversion, contracts for restitution, a half-way house used by felony probation, volunteer services, etc. Steele County Courts uses of restitution provide a contrast to the Winona program focusing its restitution on financial payments and victim offender contact while using it's work program as a consequence for the crime.

Methods for collection and monitoring financial and work restitution needs improvement particularly in county adult restitution cases. While virtually all staff favors the use of restitution there is a feeling on the part of this project staff and some of the people interviewed that restitution as a disposition could be expanded to more cases.

Most of the counties contain a city as the county focus and seem to be of a manageable size for substantial community involvement in work service restitution projects particularly since judges and court services staff know their communities very well. In many of the smaller populated counties communication appears to be excellent between judges and court services staff. In the community correction area and in part of district court communication between judges and court services staff are reported to need improvement. This seems necessary to overcome a larger, more complex system in community corrections or in district court where judges and state probation offices are located in different towns.

Some specific points of focus for additional assistance might include:

1. Providing a forum for the number of new judges to meet and discuss sentencing practices.
2. Expansion of work-service programs to include restitution cases, as noted above. This requires the development of servicing, monitoring, and evaluation system.
3. Since there is at present no identified common philosophy within the Community Corrections Counties (Dodge, Olmsted, Fillmore), some structured discussions among PO's and judges in those counties would be useful.
4. Opportunities for structured discussions would also be helpful in focusing decision making procedures.
5. In Community Corrections Counties one or more meetings (perhaps workshops) would be helpful to enhance communication between the Advisory Board and staff and to clarify philosophy, goals and objectives.

## RESTITUTION: COURTS AND COMMUNITY

One of the significant factors in the use of restitution, particularly service restitution, seemed to be the nature of the interface in which the local court system is engaged with the local community. This was often of general concern to judges but more often was the practical concern of probation officers. They were usually the ones who developed the specific arrangements for restitution and who developed systems for placements, etc., where those existed.

We have attempted to develop a continuum of this factor from examples seen in the field. We expected the range of the continuum to flow from low contact with the community to high contact. We found, however, that low contact was toward the center as shown below:

High Contact	---	Low Contact	---	High Contact
Critical & Hostile		Apathetic & Ceremonial		Cooperative & Supportive

As one would expect more creative and successful restitution options are developed toward the right end of the range, which become progressively difficult as movement to the left occurs.

We have chosen three examples of county courts whom we feel illustrate three points on the continuum. We will not identify the courts nor give detailed information for reasons of confidentiality. Please note, however, that motivation of the court officials is not a significant factor here since all three have indicated that they wish to increase the use of restitution.

### Three Examples:

#### High Contact; Critical & Hostile

One County court in District 3 is interested in moving forward with both financial and service restitution but faces hostility and distrust in regard to restitution from their local community. Both the judge and court service staff are relatively new. There were some prior negative experiences with restitution and this apparently accounts for the community having both high contact with the court and high resistance to restitution as a concept. Strategies for moving toward more restitution will need to include carefully planned interventions to overcome the community's resistance.

#### Low Contact; Apathetic and Ceremonial

One county court in District 6 uses restitution, both financial and service, to a limited degree and would like to increase the use, particularly of service restitution. Currently the community's awareness and participation is limited to a limited number of people, most

of whom are representatives on community boards, etc. Their involvement may be characterized as ceremonial rather than supportive. The rest of the community may be described as ignorant of the concept or apathetic about it. Strategies for moving toward more restitution would benefit from including plans to develop wider and more supportive contacts in the community. This court system presumably would not have as many difficulties to overcome as would the court in our first example.

#### High Contact; Cooperative and Supportive

Another county court in District 6 uses restitution, both financial and service, widely and creatively. Both the judge and the probation officer are prominent and visible in the community. The PO has organized a broad range of placements for service restitution in both public and private organizations. Representatives of these organizations and others have begun to form a variety of community education and practical support structures including a volunteer program. Court officials are optimistic and wish to see this movement grow in scope and sophistication. Testimony from the community seems to agree with their intentions. It would seem that strategies here need to be organizational and developmental in nature provided that no serious setbacks occur. They would not be faced with the difficulties suggested by either of our prior examples.

From our observations we are prepared to advance the proposition that more creative and successful restitution programming can be accomplished with intentional community education efforts and with careful, well-planned development of support structures in the local communities. This may appear to some to be self-evident; however, it is a proposition that is questioned directly and indirectly by a broad spectrum of court officials. The technology currently exists by which the idea can be realized in almost any community. The major blocks, we feel, are not in the technology (i.e., whether such a proposition can be implemented) but rather are in the area of philosophy (attitudes) and resources (manpower and community skills). Some forms the attitude blocks take are:

- a. "If you get community people involved you'll get burned."
- b. "It isn't our job" (or role)
- c. "The courts because of their unique functions shouldn't allow themselves to get into a position where they can be pressured by the community."

These are often legitimate concerns and need to be carefully thought through. Our contention is that with a careful and properly executed community intervention plan these negatives can be avoided and the many positives surrounding community involvement and support can be realized.

## COMMON ISSUES IN RESTITUTION

A wide variety of issues were raised by court officials which interfere with effective use of restitution. The following discussion identifies the major ones with some comments. In cases where we have learned of strategies for solutions being tried in local counties to resolve issues and problems we list them. The issues are grouped into three categories: Administrative and Technical, Philosophical, and Legal.

### I. Technical Issues

#### Financial Restitution

1. Problems in determining the value of stolen or damaged property.

--- Usually the probation officer is responsible for determining or negotiating these values. A common problem involves the victim attempting to inflate the value. Some courts have used civil court, usually conciliation court, to resolve these disputes. Other judges hold a special hearing for purposes of determining value in which expert testimony can be given. In a few instances the assistance of an expert appraiser skilled in a specialized area (for example, coin or stamp collections) has been used. Many courts insist on a letter (sometimes a contract) from the victim formalizing the amount he has agreed upon.

2. Reluctance of court service staff to handle money. Even though most courts have a collection-bookkeeping system and clients are asked to send the money in, PO's often collect money in the field. The problem expressed is one of responsibility either for loss of cash or the possibility of being "conned" by clients.

--- A few courts have bonded their PO's for this purpose.

3. Insurance companies - Should they be paid? In full? A token amount? On the basis of negotiations? Not at all?

--- We found examples of all of these. There was wide-spread disagreement on this issue and strong feelings in the various camps. We can offer no solutions except to say that a general policy statement at the local level would be helpful to the people in the system, usually PO's, who get calls from aggressive insurance agents.

4. Uncollected Restitution -- What should be done? Forget about it? Extend probation? Revoke probation and impose stronger sentence?

--- This is also a wide-spread issue and is a common source of conflict between judges and PO's. It is probably the kind of issue that can be resolved at the local level, however.

## II. Philosophical Issues

1. What is the appropriate role for the probation officer with restitution cases? This ageless question finds PO's themselves divided between viewing themselves as bill collectors with a primary responsibility to the victim, or a treatment staff with a primary responsibility toward the offender. Attempts to find a balance point between these positions often appear to create additional frustration and role confusion as the PO is pulled at by both victim and offender, or moves apart from the struggle and becomes an almost disinterested arbitrator (much like another judge).

We have noted frequently that there appears to be no "right" philosophy about restitution. Whatever position the PO assumes on the victim-offender continuum, a workable program can be developed if that philosophy is clear and is mutually reinforced between judge and PO. Creative and resourceful programs with many of the "right" elements (good communication between judge and probation officer; good support from community; a smooth and effective system for humanely handling clients; etc.), do not share a common philosophy between programs, although they do share a common philosophy within a program. We are, in fact, aware of sophisticated and apparently effective (we have no concrete measures here) programs in each major philosophical camp!

If identifying the absolute "right" philosophy is not the issue (and we believe it is not, since all philosophies can "work" for all parts of the system although some focus more on offender (self-esteem or rehabilitation) some on the victim (victim compensation) and some on the society itself (reconciliation)), does the central issue become the development of a common, mutually supported, philosophy of restitution within a given jurisdiction? Perhaps it could be said that a philosophical pragmatism centering on establishing a staff system characterized by the basic human elements of mutual trust, respect, open communication, and frequent inter-personal contact is a necessary first step prior to the development of a common ideology, or, simply stated, perhaps psychology precedes philosophy in the movement toward a unified mission. At the risk of stating the obvious, effectively meeting the basic human psychological needs of staff is a primary concern before any specific program philosophy has much significance.



2. Some important and interesting questions emerge from innovative sentencing practices which reformulate the traditional emphasis placed on the role of the judge. Self-sentencing as employed in Winona County Court (and, to some extent, in Carlton County Court and Hibbing - St. Louis County Court) would appear to require a frame of reference about the judicial process and about offenders quite different than the more typically assumed conventional role. Here (with self-sentencing) the judge actively supports the development of the offenders self esteem rather than confining his role to objective interpretation of appropriate statutory penalties (not that any judge truly does this --- rather it appears to be a question of emphasis placed on aspects of the judges role.).

Where does restitution fit in a basic discussion of sentencing philosophy? This is perhaps the most basic issue of our report. It was raised directly and indirectly by many judges. What follows is an outline of this question presented at the Second National Restitution Symposium, November 13-15, 1977 in St. Paul, by Judge Ernst John Watts, Dean of the National Judicial College, University of Nevada in Reno. He lists the following questions:

- A. What by definition of the local court is the purpose of the criminal sanction? (For example, to conform illegal behavior to accepted community standards.)
- B. What are the goals to be pursued in sentencing?
- |                |                         |
|----------------|-------------------------|
| 1. Retribution | 3. Rehabilitation       |
| 2. Deterrence  | 4. Separation (lock up) |

Question: Is restitution #5 or is it part of the first four?

- C. What methods are used in pursuing the goals?

- |                                       |                        |
|---------------------------------------|------------------------|
| 1. Dismissal                          | 5. Lock Up             |
| 2. Fines                              | A. Jail suspension     |
| 3. Probation                          | B. Huber               |
| 4. Sentence suspension<br>or withheld | C. Simple confinement  |
|                                       | D. State incarceration |
|                                       | 6. Parole              |

Question: Is restitution a separate method or is it part of the other methods?

### III. Legal

Victim-offender contact --- Should, and within what circumstances, offenders and victims be brought into personal contact with each other? Attitudes about this issue range widely throughout all three districts. It appears to be a legal, philosophical and technical question most pronounced in juvenile court. Three judicial judges, Gingold of Ramsey, Campbell of St. Louis, and Cashman of Steele strongly encourage it in their courts. Judge Cashman goes further by conceiving it as a standard practice in which the juvenile offender must face his victim as a consequence of his behavior.

Some PO's in Ramsey and a larger proportion in St. Louis disagree. They cite confidentiality as the major reason and the increased possibility of conflict - vendetta - feud - growing out of the practice. They also see it as increasing time/work demands. Judges Gingold and Campbell are not moved by arguments concerning confidentiality.

Can (should) restitution be used as an add-on sentence for someone who is incarcerated? Does this constitute an inappropriate or illegal additional punishment? Some judges avoid this practice for fear of such questions; however, one judge uses it routinely but suspends part of the incarceration time on the condition restitution is paid. A cloudy allied question relates to unpaid restitution where the result is incarceration for failure to pay. Does this constitute a "debtor's prison?"

This is an area for further research and discussion.

# S.A.V.E. REPORT

## Sentencing Alternatives for Volunteer Employment

### NUMBER OF REFERRALS BY MONTH

July, 1976	8
August, 1976	2
September, 1976	7
October, 1976	9
November, 1976	15
December, 1976	9
January, 1977	11
February, 1977	13
March, 1977	12
April, 1977	18
May, 1977	17
June, 1977	19
July, 1977	5

Total of 162 clients since July, 1976

- 127 cases were referred through Court Unit
- 13 cases were referred through Project Remand

59 are currently active -- of these 59 --

- 1 is in the process of paying the fine instead
- 12 are being referred back to court
- 46 are currently working

81 clients are inactive -- of these 74 --

- 56 have completed their S.A.V.E. hours;

Salvation Army	18
Goodwill Industries	19
Union Gospel Mission	14
Guadalupe Area Projects	5

- 5 have been assigned to the Workhouse
- 14 have paid the fine
- 2 were hospitalized
- 1 joined the Navy
- 1 obtained full-time employment and was discharged
- 2 discharged by court

Of the 133 total clients referred:

Male -	108
Female -	32

Age ranges from 18 - 78 (Average 26)

Hours assigned to clients range from 5 - 200 (Average 41)

TABULATION OF OFFENSES

Petit Theft - 35	Possession/small amount of marijuana - 2
Blood/Alcohol Content over .10% - 13	Felonious Theft - 3
Careless Driving - 9	Smoking in Unauthorized Area - 1
Disorderly Conduct - 7	Wrongfully Obtaining Welfare - 2
Traffic Violations - 6	Improper Lane Change - 1
Driving While Intoxicated - 9	Illegal Cross Over - 1
Leaving Scene of Accident - 7	Driving After Suspension - 5
Parking Tags - 6	False Information to Police - 2
Speeding - 4	Wrong Way on One Way - 1
Reckless Driving - 3	Running a Red Light - 1
Simple Assault - 3	Probation Violation - 1
Trespassing - 3	Driving Over Center Line - 1
Drinking in Public - 3	Possession Stolen Property - 1
Failure to Yield Right of Way - 2	Driving Without Insurance - 1
Illegal Possession of Firearms - 2	No Minnesota Driver's License - 1
Open Bottle - 1	Illegal Transportation of a Firearm - 1
Driving After Revocation - 2	

PRESIDING JUDGES

Summers	29
Fleming	19
Fitzpatrick	14
Peterson	15
Faricy	10
Gross	19
Kirby	9
Markert	4
Poritsky	4
Maxwell	4
Johnson	7
Salland	3
Brennan	1
Summers & Fitzpatrick	1
Abramson	1

For additional information contact:

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**END**