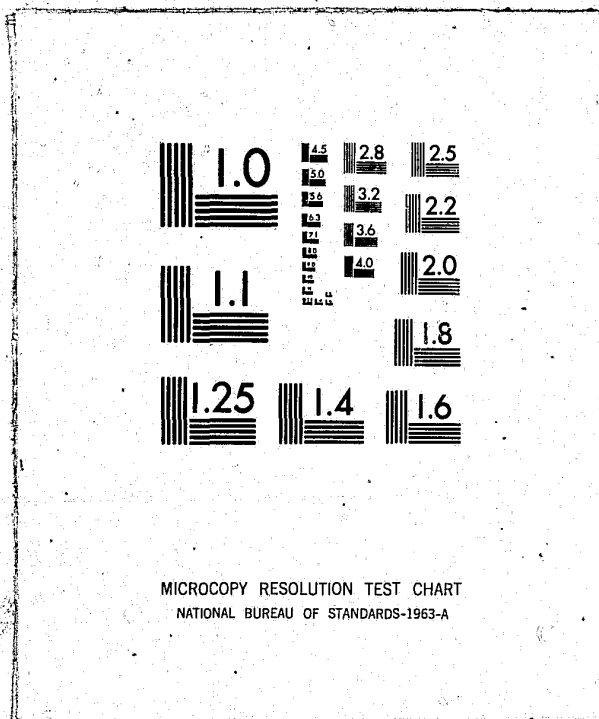


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Date Filmed

OCTOBER 13, 1980

# City of New Orleans

The Mayor's Criminal  
Justice Coordinating Council

OFFENDERS WHO PAY THE WAY  
THE PRIMARY REASON FOR  
CRIMINAL BEHAVIOR IN  
NEW ORLEANS IS THE  
LACK OF ADEQUATE  
REHABILITATION PROGRAMS

THE CITY OF NEW ORLEANS  
IS CURRENTLY EXPERIENCING  
A CRISIS IN THE CRIMINAL  
JUSTICE SYSTEM

ERNEST N. MORIAL, Chairman  
ffman, Vice Chairman

61796

X OFFENDERS WHO PAY THEIR WAY: THE PRELIMINARY IMPACT  
EVALUATION REPORT ON THE ORLEANS PARISH CRIMINAL SHERIFF'S  
RESTITUTION SHELTER/DIAGNOSTIC UNIT

Prepared by  
The Mayor's Criminal Justice  
Coordinating Council

June, 1979

Frank R. Serpas, Jr., Executive Director  
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The Orleans Parish Criminal Sheriff's  
Restitution Shelter/Diagnostic Unit Program  
was funded by the  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
through the LOUISIANA COMMISSION ON LAW  
ENFORCEMENT AND ADMINISTRATION OF CRIMINAL  
JUSTICE

THE MAYOR'S CRIMINAL  
JUSTICE COORDINATING  
COUNCIL  
Mayor Ernest N. Morial  
Chairman  
Don Hoffman, Vice Chairman

MAYOR'S CRIMINAL JUSTICE COORDINATING COUNCIL

PRELIMINARY IMPACT EVALUATION

PROJECT: Orleans Parish Criminal Sheriff's Restitution Shelter/  
Diagnostic Unit

PROJECT NUMBERS: 76-C9-9.1-0368; 77-E9-9.1-0145; 78-C9-10.1-0001

FUNDING SOURCE: Law Enforcement Assistance Administration  
Louisiana Commission on Law Enforcement  
and Administration of Criminal Justice  
Mayor's Criminal Justice Coordinating Council

SUBGRANTEE: City of New Orleans

OPERATING AGENCY: Orleans Parish Criminal Sheriff

PERIOD OF GRANT REPORT: June 30, 1977 - December 31, 1978

DATE OF REPORT: June, 1979

PREPARED BY: Stephen M. Hunt

EVALUATION ASSISTANCE: James Becnel, Student Intern  
Gladys Anderson, Typist

CUMULATIVE GRANT AWARD: SLEPA - \$196,916.  
Subgrantee- 21,879.  
TOTAL \$218,795.

PROJECT PERSONNEL: Charles C. Foti, Jr., Orleans Parish  
Criminal Sheriff  
Michael Geerken, Program Director

AUTHORIZED OFFICIAL: Ernest N. Morial, Mayor  
City of New Orleans

## EXECUTIVE SUMMARY

Restitution has gained widespread acceptance as a sanction imposed by the Criminal Justice System requiring the offender to make payment of money or service to the actual or substitute victim of crime. Restitution sanctions impact offenders by making them cognizant of the full costs of criminal activities, including all costs necessary to make full reparation, restoration, or compensation to victims. Restitution sanctions impact victims and the Criminal Justice System directly by recovering some of the loss or costs resulting from the criminal violation. Lastly, restitution sanctions impact the community by increasing confidence in the Criminal Justice System which leads to more crimes reported, more witnesses cooperating with the prosecution, more criminals apprehended and rehabilitated, and a reduction in crime.

### Program Definition and Study Objectives

The Orleans Parish Criminal Sheriff's Restitution Shelter/Diagnostic Unit became operational on June 30, 1977. The project was designed to expand community-based sentencing alternatives by operating a facility which processed 120 to 150 persons, with seventy-five percent of the offenders making monetary payments to victims and twenty-five percent making symbolic or service restitution to substitute victims. In addition, offenders were to receive basic education and/or vocational training when appropriate.

The present study represents the preliminary impact analysis for the period June 30, 1977 to December 31, 1978, reviewing project

history and evaluating the success of the project in reaching stated goals and objectives. The evaluation of success primarily focuses on the number of persons working and paying restitution. The project did not propose to reduce recidivism.

#### Project Efficiency

During the 18 months of project operation discussed in the report, the Restitution Shelter accepted 174 individuals, thereby exceeding the goal by 16%. The Diagnostic Unit screened 414 individuals, 27% more than the stated goal. The educational component exceeded the goals by increasing grade level equivalencies more than 100% above objectives.

#### Project Effectiveness

The participants in the program generated \$130,220.87 income during the evaluation period. Of this total, \$21,856.32 was carried over to 1979, with the balance of \$108,364.55 being disbursed as follows:

Payments to Victims	\$11,608.38	(11%)
Payments to C.J.S.	26,741.50	(25%)
Payments to Offenders	70,014.67	(64%)
Total disbursements	<u>\$108,364.55</u>	(100%)

Fifty-four victims were directly compensated as a result of the program. These victims received an average of \$151.86 or a total of \$8,200.38. An additional 51 offenders paid restitution indirectly through the Elderly Victim Relief Fund in the amount of \$3,408.00. The funds in the E.V.R.F. were used to compensate elderly victims

for losses resulting from purse snatchings, muggings, and other forms of burglary, theft, or robbery when property was not recovered. Fifty-three individuals participated in community service restitution at various sites in Orleans Parish.

### Conclusions and Recommendations

The Restitution Program was unable to secure a separate community-based facility. Based upon the preliminary impact analysis, the Orleans Parish Criminal Sheriff's Restitution Shelter/Diagnostic Unit attained many of its stated goals and objectives in a cost effective manner. For a more detailed analysis consult the conclusions and recommendations in the text. As a result of systematic analysis and careful study, the following general recommendations have been made regarding the project:

1. It is recommended that greater emphasis be placed upon restitution payments made to victims of crime.
2. Special attention should be provided to younger participants ordered by the court to pay restitution to victims for crimes of burglary or robbery.
3. Accurate and complete records should be maintained for each participant in the Program.
4. A restitution program for women should be established.
5. Efforts should continue to be made to secure a community-based facility for the Program.

6. The Diagnostic Unit should seek more referrals ordered by the Courts to pay restitution.
7. Victims to whom restitution payments have been made should be followed up by Shelter personnel.
8. Explore the possibility of using an inmate's savings to pay for his fine for criminal neglect.



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## I. INTRODUCTION

The Orleans Parish Criminal Sheriff's Adult Restitution Shelter/Diagnostic Unit became operational on June 30, 1977. The Restitution Shelter was funded by a State Block Part E grant for the period June 30, 1977 through December 31, 1978, and is presently operating on a similar block grant through December 31, 1979. The Diagnostic Unit was funded by a State Block Part C grant for the period June 30, 1977 through September 30, 1978, and is currently operating on a Mini-Block grant through April 15, 1979. The Diagnostic Unit received another Mini-Block grant for the period April 16, 1979 to September 30, 1980.

The Restitution Shelter and Diagnostic Unit comprise the Restitution Program at the Community Correctional Center. Therefore, this report will combine those major components in a single evaluation. However, for purposes of impact and cost analysis, each component will be assessed separately.

### A. The Concept of Restitution

At the Second National Symposium on Restitution held in St. Paul, Minnesota on November 14 and 15, 1977, the following definition of restitution was provided, "A sanction imposed by an official of the Criminal Justice System requiring the offender to make a payment of money or service to either the direct or substitute crime victim."<sup>1</sup> Other concepts related to restitution include composition, reparation, restoration, indemnification, compensation, and community service.

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<sup>1</sup>Burt Galaway and Joe Hudson, Offender Restitution in Theory and Action, Lexington Books, 1977 p. 1

While the above definition is broad enough to include all the above concepts in a continuum from "offender-oriented" programs to "victim-oriented" programs,<sup>2</sup> restitution programs should be kept distinct from victim compensation programs. Those latter programs compensate victims of more serious crimes with government funds, while restitution programs are usually limited to less dangerous offenders convicted of crimes against property. In theory, restitution programs should impact the offenders, the victims, the criminal justice system, and the community in varying degrees depending upon the structure and orientation of each program.

The "classical economic theory" of criminality offers a basis for understanding the impact of restitution upon an offender.<sup>3</sup> According to that theory, a criminal makes a rational choice based upon an impression that "the benefits of stealing exceed the cost of stealing by a wider margin than the benefits of working exceed the costs of working."<sup>4</sup> By ordering an offender to pay monetary or symbolic restitution to the victim, the criminal justice system, and the community for the commission of a crime, it is believed that an offender will more fully comprehend the total cost of the crime and refrain from acting similarly in the future. Other

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<sup>2</sup>Alan T. Harland, Theoretical and Programmatic Concerns in Restitution: An Integration, Gallaway and Hudson, (p. 193-195)

<sup>3</sup>Jeremy Bentham, An Introduction to the Principles of Morals and Legislation, Athlone, London, 1970.

<sup>4</sup>James A. Wilson, Thinking About Crime, (p. XIII-XIV)

tangible benefits may impact offenders participating in restitution programs, including: counseling, education, and training programs in the prison; on-the-job training and actual work experience in the community; and, the accumulation of savings which the offender receives upon release.

The impact upon the victim, the criminal justice system, and the community is more complex and difficult to assess. However, since victimization surveys suggest that only 33 percent of all crimes are reported to the police,<sup>5</sup> the criminal justice system, via restitution programs, offers one means of focusing more on the victim. "Restitution is definitely one of the major types of redress that can be offered to satisfy the claims of the victim."<sup>6</sup> In addition, the criminal justice system benefits directly where offenders pay for court costs, court appointed lawyers, and prison services. In addition, restitution programs may impact the whole community by reducing rearrest rates, increasing victim redress, and lowering incarceration costs. Ultimately, these activities should lead to an expansion of public confidence in the criminal justice system as a whole.

#### B. Goals and Objectives

The following goals and objectives stipulated in the original grant application cover both the Restitution Shelter and the

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<sup>5</sup>Criminal Victimization Surveys in 13 American Cities,  
U. S. Department of Justice, 1975.

<sup>6</sup>Emilio C. Viarro, Victims, Offenders, and the Criminal Justice System, in Gallaway, (p. 97).

#### Diagnostic Unit:

- Goal 1. Expansion of community-based sentencing alternatives by operating a facility which processes 120 to 150 persons during the grant period.
  - Goal 2. 75% of the offenders in the Restitution Shelter are to make monetary payments to crime victims.
  - Goal 3. Symbolic or service restitution is to be made to crime victims where monetary payments are inappropriate.
- Objective 1. The educational levels of the participants will increase according to the following criteria:
    - a. Functional illiterates - 2.5 months
    - b. Adult Basic Education - 7 months
    - c. GED candidates - achievement of GED
  - Objective 2. 75% of the offenders will be employed during the grant period.
  - Objective 3. 25% of the offenders will be placed in training slots.
  - Objective 4. A Citizens Business Council (CBC) will be implemented to assist in gaining employment for participants.
  - Objective 5. Implement a version of the Mutual Agreement Program (MAP) for each program participant.
  - Objective 6. A Diagnostic Unit will be created which will interview a minimum of 250 potential Restitution Shelter participants.

#### C. Program Methodology and Limitations

The Restitution Shelter/Diagnostic Unit is composed of two distinct components. The Diagnostic Unit receives referrals from the district courts, attorneys, the Central Intake Unit of the prison, and other sources. An extensive screening process takes place to insure that participants accepted into the Shelter do not pose a threat to the public and are not escape risks.

Upon acceptance into the Shelter, a participant is tested and placed in an individualized learning program. A determination of the kind and amount of restitution to be paid is agreed upon and made part of a contract which is signed by both the offender and the Sheriff. The participant is placed in a job and begins to accumulate savings from which a restitution payment will be deducted upon release. All inmates employed and paying victim restitution also contribute a percentage of their income for room and board in the prison. This project does not propose to impact positively upon the criminal behavior of the offenders involved. Therefore, no goals of recidivism reduction were stipulated.

D. Program Implementation and Timing

The activities involved in making the Restitution Shelter and the Diagnostic Unit operational have been detailed in a previous Process Evaluation covering the period June 30, 1977-March 15, 1978. That evaluation pointed out that although most of the activities were somewhat behind schedule on March 15, 1978, the Shelter and Diagnostic Unit were, in effect, fully operational on that date.

A number of grant adjustments have been made since the inception of the project.



### The Diagnostic Unit

- Adjustment 1. Postpone the starting date from April 1, 1977 to June 30, 1977. Approved August 29, 1977.
- Adjustment 2. Increase the salaries for the Staff. Approved December 22, 1977.
- Adjustment 3. Extend the grant period to September 30, 1978. Approved March 16, 1978.
- Adjustment 4. Change the qualifications for the Unit Director and change the psychometrist position to Group Worker III. Approved July 5, 1978.
- Adjustment 5. Extend the grant period to December 31, 1978. Refused September 21, 1978.
- Adjustment 6. Move \$15,000 personnel funds to equipment. Approved September 27, 1978.
- Adjustment 7. Extend the grant liquidation period to March 1, 1979. Approved February 19, 1979.

### The Restitution Shelter

- Adjustment 1. Make a budget change transferring funds from contractual services to personnel. Approved.
- Adjustment 2. Postpone the starting date from April 1, 1977 to June 30, 1977. Approved December 2, 1977.
- Adjustment 3. Salary increase for Staff. Approved December 2, 1977.
- Adjustment 4. Change the method of payment for the Citizens Business Council. Refused December 2, 1977.
- Adjustment 5. Change the educational objectives from two and one-half years and seven years to two and one-half months and seven months respectively. Approved March 27, 1978.
- Adjustment 6. Extend the grant period to September 30, 1978. Approved March 27, 1978.
- Adjustment 7. Create the new staff position of Employment Coordinator. Approved June 5, 1978.

Adjustment 8. Extend the grant period to December 31, 1978.  
Approved August 18, 1978.

Adjustment 9. Extend the liquidation period to February 15,  
1979. Approved January 24, 1979.

## II. THE COMPONENTS OF THE RESTITUTION PROGRAM

### A. The Diagnostic Unit

The Restitution Program involves releasing convicted and sentenced inmates back into the community, the critical process of screening program referrals is the responsibility of the Diagnostic Unit. Although offenders from a myriad of backgrounds, i.e., race, number of previous offenses, current offense, length of time from last incarceration, etc., have participated in the program, categorically excluded from participation are those presenting either a clear danger to the community and/or themselves because of a history of violent behavior or those having a record of numerous felony convictions. The Diagnostic Unit consists of a director, one full-time and one half-time psychiatric social worker, a secretary, and a clinical psychiatrist who works on an as needed consultant basis. (A work flow chart is contained in the Appendix.)

The primary source of referrals to the program has been the Orleans Parish Criminal District Court judges. The judges have ordered offenders to pay restitution either to victims or to the Court to recover Court costs, or to contribute to the expenses of a Court appointed defense attorney. In addition, the Diagnostic Unit has adopted a "docket search procedure" in which the secretary reviews all sentenced persons upon receipt of the records from the Clerk of Court. Other program referrals are primarily made by the Sheriff's Prison Intake Unit, by counselors and teachers in the Community Corrections Center (C.C.C.) Rehabilitation program, by

the "Yank Captain" in the prison, and by municipal judges.

#### Phase I.

Frequently, a program referral is received by telephone. The program secretary passes the referral on to the director and begins to gather preliminary information. Initially, a request is made to the National Crime Information Center (N.C.I.C.) for a printout detailing the past criminal activities of the individual. In addition, an F.B.I. rap sheet is requested from the New Orleans Police Department to detect arrests and convictions outside of the five parish area covered by the N.C.I.C. If there is a question about one or more of the incidents reported on the N.C.I.C., a more detailed item number report is requested. In addition, a copy of the offender's booking card is requested.

After the background information is assessed and if the individual meets minimum criteria, a first interview is scheduled between the prospect and the director of the Diagnostic Unit, one of the social workers, or the teacher.

#### Phase II.

The first interview is usually conducted in the classroom at the C.C.C. or the attorney's booth at the old Parish Prison. The purpose of this interview is to assess the offender's general background, including family and marital status, past employment, education, vocational training, military experience, health condition, arrest history, and local references. Individuals who have no local references are usually considered high risk and difficult to locate in the event of escape and, generally, are not

accepted into the program. (A copy of the first interview questionnaire is contained in the Appendix.)

The office of the Criminal Sheriff opened a General Intake Unit for both the C.C.C. and the Old Parish Prison (O.P.P.) for all offenders ordered to be held in either facility. Since becoming operational in October of 1978, all inmates are given the Thorndike I.Q., the Gordon Personality, the California Achievement Test (C.A.T.), and other tests as needed. All new inmates within six to eight months of release are automatically referred to the Restitution Shelter from the General Intake Unit. It is no longer necessary for the Diagnostic Unit to test referrals from the General Intake Unit. However, prior to October of 1978, the Diagnostic Unit tested all referrals before acceptance into the program.

The next stage in the screening process is the verification of all the information received in the first interview. A meeting is held at the Diagnostic Unit with the family of the offender and one of the social workers. The support of the family at this time is an important element of the program because an ultimate program goal is to reintegrate the offender back into the family unit. Other references and information received from the offender in the first interview is confirmed and contact by telephone is made with previous employers to determine if the offender can return to his previous job situation.

As stated by the Diagnostic Unit staff, the purpose of Phase II is to scrutinize each inmate to determine:

1. Suitability for regular employment;
2. Sufficient self-discipline necessary to live in a less structured situation; and,
3. Capacity to understand the implications of the shelter concept.

### Phase III.

A second interview is held with a social worker. In some cases, a clinical psychiatrist available one morning per week for consultation conducts a more in-depth evaluation in which symptomatology, health, psychiatric and behavioral history, and personality are all assessed. The psychiatrist attempts to answer the question, "Can he handle it?" (A copy of the second interview questionnaire is contained in the Appendix.)

A final oral interview is required for all potential participants with the Commander of the Restitution Security Unit. This input is important as an inmate will frequently react differently with a prison officer. Additionally, those officers have access to the informal prison grapevine. If a prospect has passed all other screening but the captain does not recommend favorably, the inmate is usually not accepted into the program.

Having successfully completed all screening processes, a candidate's background is discussed in a committee of-the-whole at a weekly staff meeting which includes staff members from both the Diagnostic Unit and the Restitution Shelter. A final deter-

mination of program participation is then made but, if the program is full at that time, the inmate is placed in a holding status until space is available. If a selected inmate refuses program participation, an affidavit stating the reason(s) for refusal must be signed. (The Appendix contains a sample of an affidavit.) When a selected inmate chooses to participate in the program, the Court is notified immediately. At this point the work of the Diagnostic Unit is completed and the offender becomes the responsibility of the Restitution Shelter.

#### B. The Restitution Shelter

The Restitution Program was originally intended to be located in a community-based facility physically separate from the high security prison. However, for various reasons, a separate facility never materialized. The present facility is located inside the C.C.C. near downtown New Orleans. The inmates are confined to two sections known as quads, each having a maximum capacity of 28 rooms. Each quad area has one 25' x 60' day room and one 30' x 30' classroom available to the inmates.

The Criminal Sheriff's deputies are responsible for the care, custody, and control of the inmates. Three deputies including one sergeant are on duty at all times to monitor the cells on the quad. The deputies are responsible for: retrieving all money and paychecks from the inmates upon returning to prison every night; calling employers when an inmate is sick and monitor-

ing his activities while he is on the job; checking all family information for security purposes before an inmate begins working; and, keeping work passes and time cards in order to more closely monitor the inmate's activities. On Sundays, the deputies make spot checks to see that inmates are visiting their homes. The deputies also frequently apply drug and alcohol tests to inmates returning to the shelter.

Shelter activities can be broken down into a number of sub-components including restitution, employment, M.A.P. contract, education and counseling.

1. Restitution

Many program referrants are ordered to pay victim restitution by the Court. In addition, the Court may order an offender to pay a fine or restitution to the Indigent Defender Program or to the Court Operations Fund.

If the Court does not order any of these types of restitution, the Shelter staff makes a victim loss assessment (Victim Assessment) for participants identified by means other than Court order and determines the amount of restitution to be paid. As a rule, these offenders never pay more than \$1.00 per day restitution either to a victim or to the Elderly Victim Relief Fund (E.V.R.F.) if no victim has been identified. That fund compensates elderly citizens for losses of necessities of life. In like manner, an offender who has completed restitution payments to the Court or



to a victim as ordered by the Court and who has not yet been released from prison and is still in the Shelter will begin to pay no more than \$1.00 per day to the E.V.R.F. Before the E.V.R.F. was instituted, these individuals with no direct victim to compensate were assigned to do symbolic restitution or community service. In addition, all inmates do some kind of community service work on weekends regardless of the kind of restitution being made.

Victim Assessment is usually performed by the Shelter Employment Coordinator. Before that position was created on April 1, 1978, either the Director or the Assistant Director completed this assessment. As a rule, the Employment Coordinator relies upon the police report to determine the amount of the damage or loss to the victim. The Coordinator also contacts the victim to ascertain the extent of interest in receiving restitution. Most victims are enthusiastic about receiving restitution, but some are fearful of reprisals or future contact with the inmate. However, fewer than five of the victims contacted have refused to accept restitution. While property crimes are easy to assess by means of securing repair bills or replacement receipts, other offenses such as assault or battery are more difficult. Additionally, the program is not designed to compensate victims for property which has been returned or for doctor bills covered by insurance claims. In no case does a victim ever receive more restitution than the actual loss due to the crime as recorded in

the original police report. Court ordered restitution may include payments not only for tangible damages, but also for inconvenience or for suffering. However, the Restitution Shelter cannot legally order restitution for pain and suffering and, consequently, limits its assessment to objective costs.

In addition to making restitution payments to victims and to the Court, some offenders charged with criminal neglect pay support to their families. Other offenders pay child support through the Shelter to their families. In addition, all participants: pay \$3.00 per day to the Sheriff for room and board; pay for their own personal expenses, transportation and lunch money; and, contribute to a personal savings account which will be payable to the inmate upon release. This savings fund performs two important functions: first, it serves to assist inmates in getting reestablished upon release; and, second, acts as collateral to assist in insuring inmate cooperation and as a deterrent to escape attempts.

Approximately 90 per cent of all restitution payments to victims are delivered by mail along with a short cover letter to the victim, with the remainder being hand-delivered. (A sample cover letter is contained in the Appendix.) At no time does the offender ever make contact with the victim after entering the Shelter. In fact, the Shelter makes an effort to protect the victim from

any further contact with the offender, Once restitution payment is made, no further contact is maintained with the victims by Shelter personnel.

## 2. Employment

When the Restitution Shelter first began operations, a Community Business Council (C.B.C.) was established to develop employment positions for the inmates in the program. Approximately ten community leaders responded and expressed a willingness to participate in the program. However, the C.B.C. ceased to meet regularly and difficulties were encountered in placing inmates. As a result, the staff of the Restitution Shelter concluded that a full time Employment Coordinator would be more effective. The C.B.C. was not dissolved, but it has been transformed into an advisory board. On April 1, 1978, an Employment Coordinator assumed the responsibility for placing program participants.

Soon after acceptance into the Shelter, an initial interview is held with the Employment Coordinator to assess the education, work skills, and interests of the offender. There is usually a ten to fourteen day waiting period before job placement in order to observe the offender and for program orientation. During this period the offender is tested by the educational component, the restitution contract is negotiated, and the Mutual Agreement Program contract is signed.

Usually, the Coordinator tries to place each offender into

the same position held prior to arrest. If this is not possible, other related positions are investigated. In addition to scheduling interviews with potential employers, the Coordinator schools the inmate in interview procedures. The Coordinator always transports the offender to the interview, but the inmate handles the interviews in private.

The Coordinator identifies potential employers from a number of sources, including the C.B.C. Advisory Board members, the inmate's previous employers, and the classified ads. Placement into lucrative employment often proves difficult because most inmates have low levels of education, training, and experience. In addition, as a matter of policy, some large companies are unwilling to hire ex-offenders. The Coordinator contacts present employers at least monthly in order to keep abreast of each inmate's progress and to determine future employee needs. Basic selling points to prospective employers are that inmates are dependable and punctual on the job due to being constantly monitored by deputies in the jail, are available twenty-four hours a day seven days a week, and, presumably, want to work in order to remain out of jail.

The Security Division of the Shelter monitors inmates outside of the institution. A pass is typed with the company name, time of work, pay rate, supervisor's name, and the telephone number.

While inmates use public transportation to and from work, they are placed in jobs which provide good supervision. Time cards are used to punch in and out of prison. Employee work supervisors are expected to monitor and call the Sergeant at the prison to report inmate employee absences due to sickness, weather, or any unexpected cancellation of work. The objective of this aspect of the program is to place an inmate into a job which he can keep after release. As a rule, the Coordinator has no difficulty in placing program participants into unskilled positions.

### 3. The Mutual Agreement Program (MAP)

The M.A.P. is modeled after similar programs that have recently been implemented around the country.<sup>7</sup> As a rule, all individuals who pay restitution must negotiate and sign a M.A.P. contract with the Sheriff before beginning work.

Once the victim assessment is completed and the offender is ready to begin work, a meeting is scheduled with the offender and the Assistant Director. There are three basic types of contract each depending upon the specific kind of restitution to be paid: Court ordered; child support; or, victim assessment. (A sample of the three types of contracts is included in the Appendix.) In addition to stating the restitution payment requirements, each contract includes other educational and community service require-

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<sup>7</sup>Op. cite, Galoway and Hudson, p. 6

ments, as well as an agreed upon release date, provided the inmate successfully satisfies the terms of the contract. Both the inmate and the Criminal Sheriff sign this document.

A copy of the rules and regulations is included in the terms of each contract and any violation may be cause for the nullification of the contract, the loss of some savings the inmate has accumulated, (in the case of attempted escape) and an extension of the release date. (A copy of the Rules and Regulations is contained in the Appendix.) One benefit of the contract is that, as it is a business agreement, it fosters self responsibility. The Director of the Shelter has indicated that the scope of the contract will be expanded in the future to include developmental progress through the program, with contingent increases in freedom being dependent upon incremental progress in the program.

#### 4. Education

Education is an important component of the Restitution Shelter and, as stated in each M.A.P. contract, each participant is required to attend class at least four nights per week. The three different kinds of classes offered include pre-literate, adult basic education, and Graduate Equivalency Diploma (G.E.D.). Upon entering the Shelter, if not previously tested by the Intake Unit, an inmate is tested by the Shelter staff teacher. Most inmates take the California Achievement Test (C.A.T.) for reading, math and English and are given a grade-level score for each area.

In addition, the teacher administers other tests to determine whether a person should be placed into the pre-literate class or not. Placement is made on the basis of these tests.

An individual learning program is prepared for each inmate by the teacher for the next class period following testing. Once an individual program is developed, each inmate is free to progress at an individual rate. The teacher provides individual attention and, as the physical facility does not enhance a classroom type teaching approach and since most students are at different levels, an independent study approach has been found to be most effective.

Classes meet from 1:00 p.m. - 5:00 p.m. on weekdays for those not working and on alternate nights from 7:00 p.m.-9:00 p.m. for the others. Materials and texts are supplied by the Shelter. In addition, class time is devoted to practical skills such as reading various business forms and the preparation of job applications, credit applications, and tax returns. The teacher believes that the strength of the program lies in the individualized program approach, the lack of distractions in prison, and competition among inmates.

##### 5. Counseling

When the Shelter first opened in the Summer of 1977, the social workers in the Diagnostic Unit provided individual and group counseling to participants. The teacher has also been

an important source of counseling services to the inmates. In April of 1978, the teacher was promoted to the Assistant Director's position. From that date until January 1, 1979, she continued to do counseling. At approximately the same time, the social workers decided to discontinue the use of group counseling sessions. In January of 1979, two supervisors were appointed to do counseling and to work with the Employment Coordinator in areas concerning employment.



### III. PROGRAM OPERATION AND EFFICIENCY

The Restitution Shelter/Diagnostic Unit Program operations were assessed on the basis of project records and monitoring visits. In the early part of January 1979, the Shelter began to use an automated CRT data processing system called OS6. Although the system provides an orderly means of storing and retrieving data, its analytical capabilities are limited. The primary source of data was the individual case folders maintained by the Shelter. A staff person went through all the case folders, extracted relevant information, and entered these data onto the OS6 system. The data on the OS6 system were then checked systematically a number of times for accuracy and completeness. However, some data were missing in each case folder and the OS6 data covering the period of this evaluation were pulled and, in turn, recoded and entered onto a more sophisticated digital computer for purposes of analyses.

#### A. The Diagnostic Unit

Table 1 summarizes available descriptive characteristics of the 414 client referrals made to the Restitution Shelter/Diagnostic Unit between June 30, 1977, and December 31, 1978. Of the total referrals, 17% were white and 83% were black. (Data were missing on the two referrals.) Although the program did not intend to exclude women, the present location of the program discourages their acceptance. Some women were referred to Marion Manor by the Restitution Shelter.

Table 1

Total Referrals to Diagnostic Unit<sup>8</sup>  
Accepted vs. Rejected Referrals  
June 30, 1977 to December 31, 1978

	Total Referrals		Accepts		Rejects	
	N	%	N	%	N	%
Number of Cases	414	100%	174	100%	240	100%
Average Age	26.3	-	26.1	-	26.4	-
Race						
Black	343	83%	152	88%	191	80%
White	69	17%	21	12%	48	20%
Missing	2	-	1	-	1	-
Total	414	100%	174	100%	240	100%
Sex						
Male	413	100%	174	100%	239	100%
Female	1	0%	0	0%	1	0%
Total	414	100%	174	100%	240	100%
Referral Source						
Judges	116	28%	55	32%	61	25%
Unstructured	67	16%	26	15%	41	17%
Structured	97	23%	44	25%	53	22%
Intake Unit	128	31%	48	28%	80	33%
Other	5	1%	1	1%	4	2%
Missing	1	-	0	-	1	-
Total	414	99%	174	101%	240	99%
Charges						
Homicide	2	0%	2	1%	0	
Assault/Battery	25	6%	9	5%	16	7%
Property Damage	6	1%	2	1%	4	2%
Burglary	88	21%	28	16%	60	25%
Robbery	48	12%	20	11%	28	12%
Theft	126	31%	52	30%	74	31%
Criminal Neglect	47	11%	34	19%	13	5%
Morals	5	1%	0	0%	5	2%
Weapons	13	3%	8	5%	5	2%
Substance Abuse	23	6%	11	6%	12	5%
Probation Violation	10	2%	2	1%	8	3%
Other	18	4%	6	3%	12	5%
Missing	3	-	0	-	3	-
Total	414	98%	174	98%	240	99%
Type Restitution						
None			7	3%		
E.V.R.F.			59	38%		
Criminal Neglect			31	20%		
Child Support			19	12%		
Court Ordered			28	18%		
Victim Assessment			13	8%		
Missing			17	-		
Total			174	99%		

<sup>8</sup> Missing cases were not included in the percentage calculations.  
Rounding caused some total percentages not to equal 100.

## 1. Referral Sources

The primary sources of participant referrals can be grouped into four types, with a residual "other" category:

- (a) Criminal District Court referrals from each of the 10 sections of the Court.
- (b) Unstructured Internal referrals from an informal network within the prison complex through individuals such as the Sheriff, captains, sergeants, chaplain, special investigators, and the Shelter staff. These persons learn of potential clients meeting minimum criteria and refer these individuals to the Diagnostic Unit.
- (c) Structured Internal referrals made by the Rehabilitation Program. The Diagnostic Unit has also established a systematic routine for searching for participants in the prison record room and in court dockets.
- (d) Parish Prison Central Intake Unit referrals.

## 2. Charges

Two types of individuals were categorically excluded from the program: (1) those persons presenting a clear threat to the community and/or themselves by virtue of violent behavior patterns; or, (2) those persons with a record of numerous felony convictions. The Diagnostic Unit implemented a flexible policy regarding criteria for screening out persons with a history of violent crimes. All persons having three previous convictions for violent crimes were

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automatically rejected; those with two prior convictions for violent crimes were usually rejected, but if ordered by the Court to pay restitution, the Unit accepted the person for an initial interview. If at that time or upon further investigation the Unit decided not to accept, the individual was referred back to the Court. However, those with only one previous conviction for a violent crime were considered eligible for screening. (A more detailed study of the referral process and acceptance criteria will follow in the Final Impact Evaluation.)

The types of offenses participants were convicted of ranged from simple probation violation to homicide as noted in Tables 1 and 4. However, in those tables, offenders are categorized according to the most recent charge and, if being held for multiple charges, classification was made according to the most serious offense. Thus, no account was taken of previous offenses in categorizing offenders by offense.

### 3. Discussion

Originally, the program had expected to receive most referrals from Criminal District Court judges. However, as Table 1 indicates, only 28% of the total referrals were received from that source, with the prison Intake Unit providing an additional 31% of all referrals and the Structured and Unstructured Sources providing the remaining 24% and 16%, respectively. From this analysis, it appears that the program is receiving too few referrals from the Courts.

Table 2, which provides a breakdown of the reasons for rejection from the program, indicates that previous arrest history was the most significant reason for being rejected (26%).

Table 2

Reasons for Rejection<sup>9</sup>

<u>Reason</u>	<u>N</u>	<u>%</u>
Arrest History	85	26%
Refused to Participate	13	4%
1st Interview	43	13%
Support in Community	33	10%
2nd Interview	25	8%
Type of Offense	22	7%
Placed into Work Release	19	6%
Past Employment Record	16	5%
Psychiatric Opinion	15	5%
Too Much Time on Sentence	11	3%
Incident Report	6	2%
Outside Report	2	1%
Juvenile Record	1	1%
Other	32	10%
Total	323	101%

Although individuals with various charges were accepted into the program, 63% of all referrals were for the property crimes of burglary, robbery, or theft; crimes having easily identifiable victims and relatively easy losses to assess. The second largest percentage of referrals, 11%, were charged with criminal neglect. Other charges ranging from homicide to probation violation constitute the other 27% of all referrals. (Data on three referrals were missing.)

Table 1 shows some differences between those accepted and those rejected by the Diagnostic Unit. Although both populations look very similar, the following qualifications were noted. Of the total participants accepted into the program, a larger proportion

<sup>9</sup>Some persons were rejected for more than one reason and all reasons were included in this table.

Table 3  
Total Accepted into Shelter<sup>10</sup>  
June 30, 1977 to December 31, 1978

	Total Accepted		Success N %		Early N %		Terminated N %		In Program N %	
Number of Cases	174		95	53%	12	7%	50	29%	16	9%
Average Age	26.1		27.9		30.0		22.4		23.2	
Race										
Black	152	88%	82	86%	11	100%	43	86%	15	94%
White	21	12%	13	14%	0	-	7	14%	1	6%
Missing	1	-	0	-	1	-	0	-	0	-
Total	174	100%	95	100%	12	100%	50	100%	16	100%
Sex										
Male	174		95	55%	12	7%	50	29%	16	9%
Referral Source										
Courts	55	32%	23	24%	0	-	23	46%	9	56%
Unstructured	26	15%	19	20%	2	17%	4	8%	1	6%
Structured	44	25%	24	25%	5	42%	13	26%	2	13%
Intake Unit	48	28%	29	31%	5	42%	10	20%	3	19%
Other	1	1%	0	-	0	-	0	-	1	6%
Total	174	101%	95	100%	12	101%	50	100%	16	100%
Charges										
Homicide	2	1%	2	2%	0	-	0	-	0	-
Assault/Battery	9	5%	5	5%	0	-	4	8%	0	-
Property Damage	2	1%	2	2%	0	-	0	-	0	-
Burglary	28	16%	12	13%	0	-	14	28%	2	13%
Robbery	20	11%	7	7%	2	17%	9	18%	2	13%
Theft	52	30%	31	33%	1	8%	15	30%	5	31%
Crim. Neglect	34	20%	22	23%	9	75%	1	2%	1	6%
Weapons	8	5%	4	4%	0	-	2	4%	2	13%
Substance Abuse	11	6%	6	6%	0	-	3	6%	2	13%
Prob. Violation	2	1%	2	2%	0	-	0	-	0	-
Other	6	3%	2	2%	0	-	2	4%	2	13%
Total	174	99%	95	99%	12	100%	50	100%	16	102%
Type Restitution										
None	7	4%	3	3%	0	-	2	4%	2	20%
E.V.R.F.	59	38%	31	34%	1	10%	23	49%	4	40%
Crim. Neglect	31	20%	22	24%	7	70%	2	4%	0	-
Child Support	19	12%	9	10%	2	20%	8	17%	0	-
Court Ordered	28	18%	14	16%	0	-	11	23%	3	30%
Victim Assessment	13	8%	11	12%	0	-	1	2%	1	10%
Missing	17	-	5	-	2	-	3	-	6	-
Total	174	100%	95	99%	12	100%	50	99%	16	100%

<sup>10</sup> Status could not be determined for one accepted case, thus the total of Success, Early, Terminated, and In Program will equal only 173. Missing cases were not included in the percentage calculations. Rounding caused some total percentages not to equal 100.

of blacks (88%) were accepted than were referred to the Diagnostic Unit (83%). Although this difference does not seem to be statistically significant, it is large enough to point out. Secondly, of the total participants accepted into the program, a much larger proportion of those charged with Criminal Neglect (20%) were accepted into the Restitution Program than were referred to the Diagnostic Unit (11%). However, this difference is probably due to the nature of the charge. Criminal Neglect is a non-violent crime in which the husband does not support his family. Few of these men are dangerous and this factor alone may account for the acceptability.

#### B. The Restitution Shelter

Table 1 indicates that a total of 174 individuals were accepted into the Restitution Shelter during the evaluation period. Table 3 describes the four types of individuals who were accepted in terms of program outcome.

The Successful Group is made up of those who completed the program and were released from prison. The Early Group consists of those released from prison as a result of early payment of fines. The Terminated Group includes those who were expelled from the program for good cause and returned to the ordinary prison population. The In-Program Group are those who were still in the program as of December 31, 1978.

##### 1. Successful Completions

The 95 successful participants can be characterized as being black males (86%), with an average age of 27.9 years. Referral sources



were closely matched with 20-31% coming from each. Theft (33%) and criminal neglect (23%) were the most common charges, with burglary (13%) a distant third.

The most common types of restitution paid by the successful participants were to the E.V.R.F. (34%), criminal neglect (24%), and court ordered (16%).

## 2. Early Completions

Of these 12 individuals, 11 were black males with an average age of 30 years. (Data were missing on one participant.) None were referred by the Courts, with most coming from either the Prison Intake Unit (42%) or the Structured Sources (42%). The majority were charged with criminal neglect (75%), and paid restitution in the form of either criminal neglect (70%) or child support (20%).

## 3. Terminated from Program

Terminated participants were mostly black males (86%), with an average age of 22.4 years. Almost half (46%) were referred by the Court on charges of theft (30%), burglary (28%), or robbery (18%). The most common type of restitution paid was to the E.V.R.F. (49%) or court ordered to victims (23%).

## 4. In Program

Participants still in the program on December 31, 1978, were primarily black males (94%), with an average age of 23.2 years. Over half (56%) were referred by the Courts. The most common charge was theft (31%). Restitution was being paid to the E.V.R.F. (40%) or to court ordered victims (30%).

Among all reasons given for termination and dismissal from the program listed in Table 4, job violation was the most common (77%). The next most common reasons were for possession of marijuana (20%), and for quad violations (13%).

Table 4

Reasons for Dismissal<sup>11</sup>

	N	%
Job Violation	23	38%
Marijuana	12	20%
Quad Violation	8	13%
Pass Violation	5	8%
Alcohol	4	7%
Other Disciplinary	3	5%
Security	3	5%
Personal	1	2%
Open Charge	1	2%
Total	60	100%

### Discussion

An interesting point in the foregoing analysis is the fact that the average age for those terminated from the program is considerably less than that of the successful and early release population (22.4 yrs.) vs (27.9 yrs.) and (30.0 yrs). This was not unexpected as many factors related to age i.e. maturity, responsibility, and wisdom, are apparently absent in younger participants who do not seem to understand the benefits of early release and the payment of restitution to victims.

<sup>11</sup>The total is larger than the total number of dismissals because in one case more than one reason was given.

A second point of interest is the participant success rate by referral source. Table 5 suggests that Unstructured Source referrals are more likely to succeed (73%), followed by referrals from the Intake Unit (60%), Structured Sources (54%), and the Courts (41%). While, the referral source cannot be blamed for a terminated participant, further analyses are required to determine why one source refers larger numbers of successful participants than another.

Table 5

	Success Rate by Referral Source						Other Status	
	Total Accepted	Successful		Terminated				
		N	%	N	%			
Unstructured Sources	26	19	73%	4	15%	3	12%	
Intake Unit	48	29	60%	10	20%	9	20%	
Structured Sources	44	24	54%	13	29%	7	17%	
Courts	55	23	41%	23	41%	9	18%	
Other	<u>11</u>	<u>0</u>		<u>0</u>		<u>1</u>	<u>100%</u>	
	174 100%	95	55%	50	29%	29	17%	

The Restitution Staff and Unstructured Sources, because of training and experience, may have expertise concerning what kind of person will likely succeed in the program. The same may be partially true for referrals from the Intake Unit and the Structured Sources. However, the Courts seem more interested in referring individuals who should pay restitution than in referring those likely to complete the program. The judges may feel that it is the responsibility of the program staff to enforce compliance. In some cases the Diagnostic Unit staff may have accepted a person into the program ordered by

the Court to pay restitution that might have otherwise been rejected. However, the Diagnostic Unit made it a rule not to accept anyone who was considered a threat to the safety or security of the community, regardless of referral source.

According to Table 6, individuals charged with either homicide, property damage, or probation violation had the highest program success rate. However, only two persons in the program were charged with any of those offenses. As Table 1 indicated, the only offenses with a reasonable number of accepted referrals were theft (52), criminal neglect (34), burglary (28), and robbery (20). Of those offenses, Table 6 indicates that criminal neglect had the highest success rate (64%), followed by theft (59%), burglary (42%), and robbery (35%). A tentative conclusion from these data may be that as the seriousness of the charge increases, so does the likelihood of unsuccessful program completion.

Table 6

	Success Rate by Charge						Other Status	
	Total	Successful		Terminated				
	Acceptance	N	%	N	%			
Homicide	2	2	100%	0	0%	0	0%	
Property Damage	2	2	100%	0	0%	0	0%	
Probation Violation	2	2	100%	0	0%	0	0%	
Criminal Neglect	34	22	64%	1	2%	11	32%	
Theft	52	31	59%	15	28%	6	11%	
Assault/Battery	9	5	55%	4	44%	0	0%	
Weapons Violation	8	4	50%	2	25%	2	25%	
Substance Abuse	11	6	54%	3	27%	2	18%	
Burglary	28	12	42%	14	50%	2	7%	
Robbery	20	7	35%	9	45%	4	20%	
Other	6	2	33%	2	33%	2	33%	
TOTAL	174	100%	95	55%	50	29%	17%	

In analyzing the success rate according to the type of restitution paid, the analysis is limited by the small number of cases. Table 7 indicates that offenders paying restitution as determined by the Program staff's Victim Assessment were most likely to succeed in the program (84%). This was followed by those paying for criminal neglect (71%), to the E.V.R.F. (52%), court ordered restitution (50%), and child support (47%).

Table 7

	Success Rate by Type of Restitution <sup>12</sup>							
	Total		Successful		Terminated		Other Status	
	Accepted							
	N	%	N	%	N	%	N	%
Victim Assessment	13	100%	11	84%	1	8%	1	8%
Criminal Neglect	31	100%	22	71%	2	6%	7	23%
E.V.R.F.	59	100%	31	52%	23	39%	5	9%
Court Ordered	28	100%	14	50%	11	39%	3	11%
Child Support	19	100%	9	47%	8	42%	2	11%
None	7	100%	3	43%	2	29%	2	28%
Missing	17	-	5	-	3	-	9	-
TOTAL	174		95		50		29	

## 6. Summary

Individuals terminated are usually younger (22.4 yrs.) on the average than those who successfully complete the program (27.9 yrs.). In addition, the courts tend to refer a large number of individuals (41%) who subsequently do not succeed in the program. Individuals charged with criminal neglect (64%) and theft (59%) are more likely to succeed than others. Finally, those individuals paying victim

<sup>12</sup> Missing cases were not included in the percentage calculations. Rounding caused some total percentages not to equal 100.

Assessment restitution (84%) or criminal neglect (71%) are most likely to succeed.

In summary, individuals most likely to successfully complete the program are older, referred by a non-court source, charged with either criminal neglect or theft, and paying criminal neglect or victim Assessment restitution. Persons least likely to succeed are younger, referred by the court, charged with either burglary or robbery, and ordered to pay child support payments or make restitution to court ordered victims.

### C. Mutual Agreement Package

According to the stated goals and objectives of the program, a M.A.P. contract was intended to be signed by all persons participating in the program. Table 8 indicates that 75% of the total accepted into the Shelter (174) signed M.A.P. contracts. Eighty-four percent of all participants placed into jobs (148) signed contracts. M.A.P. contracts should have been signed by all participants before employment, but Table 14 indicates that only 69 men had signed contracts before beginning work.

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Table 8

#### M.A.P. Contract

Placed in job with a M.A.P. contract	125	
Placed in job with no M.A.P. contract	<u>23</u>	
Total placed in job		148
M.A.P. contract but no job placement		6
No M.A.P. contract and no job placement		<u>20</u>
Total accepted		174
Percentage of total accepted signing M.A.P. contracts	75%	(131)
Percentage of total placed in jobs and signing M.A.P. contract	84%	(125)

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#### D. Monetary Restitution

Restitution Shelter participants earned a total of \$130,220.87 in salaries from employment in the community. Table 9 summarizes a breakdown of the various recipients of this income.

##### 1. Court Ordered Restitution

Twenty-eight participants accepted by the Shelter had been ordered to pay restitution to victims by the Court. Of the \$10,256.90 ordered, twenty-two participants paid \$6,202.40. to victims. Table 10 indicates that of the eighteen participants paying the full amount ordered, twelve successfully completed the program, five were terminated and one was still in the program as of December 31, 1978. Of the four participants partially paying the ordered amount, one successfully completed the program, two were terminated and one was still in the program as of December 31, 1978. One participant paid none of the ordered restitution and was terminated. The amount of restitution paid was missing for five participants, although the status was available and is included in Table 10.

##### 2. Criminal Neglect Payments

Upon a finding of guilty on the charge of criminal neglect, a common sentence is a \$500.00 fine or six months imprisonment. If unable to pay the fine, the offender is incarcerated and often enters the Restitution Shelter. In that case, the Shelter orders the participant to pay restitution to his wife. Thereafter, if

Table 9

Total Earnings/Restitution Payments  
June 30, 1977 to December 31, 1978

	Mean	Cases	Maximum	Total	Payments	Income
Earnings	879.87	148	9.50/hr.			130,220
Restitution ordered by Court	366.31	28	1,500.00	10,256.90		
Restitution Paid by Offender to victims:	110.55	105	975.23		11,608.38	
E.V.R.F.	66.82	51	189.00	3,408.00		
Victim Assess- ment	56.35	13	173.00	732.50		
Court Ordered	281.93	22	975.23	6,202.40		
Criminal Neg- lect	66.60	19	146.50	1,265.48		
To CJ System of Costs						
CCOF, ODP,					26,741.50	
Court Costs	19.85	116	200.00	2,302.50		
Fines	24.61	65	500.00	1,600.00		
Rent to Sheriff				22,839.00		
Income to Inmate/Family					70,014.67	
Family Support	270.85	47		12,729.82		
Personal ex- <sup>13</sup> penses	215.23	143		30,777.95		
Savings	378.67	70		26,506.90		
Carried over to 1979						
Savings				8,756.62		
Restitution and Other				13,034.00		
Total					21,790.62	
Owed to Program					65.70	
Grand Total					<u>\$130,220.87</u>	<u>130,220</u>

<sup>13</sup>Twenty-eight individuals paid child support in addition to paying restitution to victims. Nineteen others paid only child support and no restitution to victims.



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Table 10

Court Ordered Restitution

Ordered to Pay by Court			28
Paid Full Amount			
Successful	12		
Terminated	5		
In Program	<u>1</u>		
Total		18	
Paid Partial Amount			
Successful	1		
Terminated	2		
In Program	<u>1</u>		
Total		4	
Paid none and Terminated		1	
Missing			
Successful	1		
Terminated	3		
In Program	<u>1</u>		
Total		<u>5</u>	
TOTAL			28

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the fine is paid in full on behalf of the offender, he is released from the Program and from incarceration. This is the major reason why many persons charged with Criminal Neglect are early completions from the program. The money an offender accumulates while in the program always goes to the wife and cannot be used to pay the fine until after such payments have been satisfied. Nineteen participants paid a total of \$1,265.48 to their wives in this manner while in the program.

### 3. Victim Assessment

Thirteen persons agreed to pay victims after victim loss assessment as a condition of program participation. A total of \$732.50 was paid, an average of \$56.35 per offender.

#### 4. Elderly Victim Relief Fund

Fifty-one participants paid into the E.V.R.F. when a victim was not identified from the victim assessment. A total of \$3,408.00 was paid by these offenders, an average of \$66.82 each.

#### 5. Criminal Justice System

The Criminal Justice System received a total of \$26,741.50 from the program. Participants paid \$3.00 per day to the Sheriff for room and board for a total of \$22,839.00. In addition, \$2,302.50 was paid either to the Court for trial costs, the Orleans Indigent Defenders Program, or to the Criminal Court Operating Fund. Additionally \$1,600.00 was paid to the Court as fines.

#### 6. Payments to the Offender's Family

Forty-seven (47) offenders made payments to their families while working in the Program. The program staff determined that family or child support was necessary to feed, clothe, or house an inmate's family. The families received a total of \$12,729.82, an average of \$270.85 per family.

#### 7. Personal Expenses

Each offender received \$4.00 per day from his earnings to cover transportation to and from work and to pay for lunch. Additionally, work clothes, boots, or other job related equipment were also purchased. A total of \$30,777.95 was distributed in this manner.

#### 8. Offender Savings

After all the above deductions were made from salaries, the balance was placed into a savings account to be paid to participants

upon release. If an offender was terminated from the program before restitution was completely paid, the balance due was deducted and paid from his savings. A total of \$26,506.90 was saved by and distributed to seventy participants, an average of \$378.67.

#### 9. Carry Over to 1979

A total of \$21,790.62 was earned during 1978, but carried over to 1979 by offenders still in the program.

#### 10. Discussion

Fifty-four victims were directly compensated as a result of the Program. These victims received an average of \$151.86 each, for a total of \$8,200.38 in the form of Court Ordered, Victim Assessment or Criminal Neglect restitution. An additional 51 offenders made restitution to victims indirectly through the E.V.R.F. in the amount of \$3,408.00.

Table 11 indicates the relative proportion of total participant earnings in terms of disbursements.

Table 11

#### Disbursement of Earnings

Total Earnings		\$130,220.87	
Less Carried Over and Owed		<u>21,856.32</u>	
Total Disbursed before 12/31/78			\$108,364.55 =====
Payments to Victims	(11%)	\$ 11,608.38	
Payments to C.J.C.	(25%)	26,741.50	
Payments to Offender	(64%)	<u>70,014.67</u>	
Total Paid before 12/31/78	(100%)		\$108,364.55 =====

According to Table 11, victims received only 11% of the earnings generated by participants and disbursed during the evaluation period, the Criminal Justice System received 25%, and the offender received the majority (64%) of the earnings. The Restitution Program is voluntary and in order to encourage participation the offender is offered this allowance as an incentive. This disbursement of funds was not clearly defined in the original grant application and is at the discretion of the Program Director and the Project Director.

Victims have for many years been neglected by the Criminal Justice System. Initiatives such as the Orleans Parish Restitution Shelter have recently been sponsored by L.E.A.A. to increase the satisfaction of victims with the system. Table 12 indicates that the Orleans Parish Sheriff's Office receives twice the compensation from the program as do victims. According to the Program Director, these funds are deposited into the General Operating Fund of the prison.

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Table 12

Disbursement Breakdown

Total Earnings		\$130,220.78
Total Disbursed before 12/31/78		108,364.55
Payments to Sheriff's Office	(21%)	22,839.00
Payments to Victims	(11%)	11,608.38

---

E. Community Service Restitution

The Shelter coordinates a number of community service projects as a form of symbolic restitution for participants. All participants

in the Shelter are eligible for this work. Most of the community service work was done on weekends with the exception of the Summer Boxing Program. The staff attempted to find community service work which related to the type of crime an offender committed.

Table 13 shows the various places where community service restitution was performed and the number of man-hours at each place. The Boxing Program was intended to involve approximately 15 children in a sport during summer vacation. The participants assigned to the Belle Chase School for Retarded Children sponsored a recreational program on weekends, as well as presenting a large Christmas Party. The Red Cross Disaster Work, Marion Manor, Hope Haven, Prytania School, and Fisk School projects were primarily clean up and maintenance work needed after the flood in May, 1978. Six participants gave speeches to adolescents in an awareness program and eight others contributed to a large banquet for elderly persons at the C.C.C. A total of 53 individuals (30%) participated in community service restitution.

#### F. Education

The effectiveness of the educational sub-component of the Restitution Program was assessed according to net improvements in the California Achievement Test (C.A.T) scores and the actual number of G.E.D. certificates issued.

The C.A.T. tests were evaluated separately for reading, math, and language because the net improvement in grade level advancement for all subject areas cannot be averaged together for a composite score without utilizing a comparative weighting scale. It should

Table 13

Community Service Restitution  
May 1 to Dec. 31, 1978.

Boxing summer programs and training camps 12 men contributed	4,340 hours
Belle Chase State School for Retarded 34 men contributed	900 hours
Red Cross Disaster Work 2 men contributed	18 hours
Marion Manor 20 men contributed	800 hours
Hope Haven 20 men contributed	98 hours
UNO & Public School Speeches 6 men contributed	20 hours
Food for Friends Program 8 men contributed	960 hours
Work on Old Prytania School 12 men contributed	72 hours
Renovation of Fisk School 17 men contributed	288 hours
Total	<u>7,506 hours</u>

(Approximately 938 hours per month)

be noted that neither the length of time in educational classes nor the number of hours of class time between the first test and the last test were accounted for.

Approximately 61% of the inmates placed in educational classes were in the preliterate group, 30% were placed at the A.B.E. study level, and 9% were assigned to the G.E.D. class. These figures indicate the low educational level of all program participants.

Table 14 indicates that only 41 men in the preliterate group and 28 men in the A.B.E. group were tested twice for reading; 43 and 30, for math; and, 41 and 32 for language, although one hundred and forty-seven (147) were initially tested by the educational staff. Without more complete testing data, the educational component of the Restitution Shelter cannot be adequately evaluated. However, according to the limited data available, the net improvement in scores for those tested twice appears to exceed program objectives.

Table 14

	Educational Achievements		
	Cases	Net Improvement (Grade Level)	Months
Preliterate Group			
Reading	41	1.35	15.5
Math	43	.85	8.5
Language	41	.68	6.8
Adult Basic Group			
Reading	28	1.76	19.6
Math	30	1.95	21.5
Language	32	1.30	15.0
G.E.D. Group	Tried	Passed	
	13	10	

#### G. Operating Efficiency and Processing Time

Seven (7) points in time were determined to be significant during the process of diagnosis and treatment in the Restitution program: i.e., date of initial referral, date screening began, date of decision to accept, date of actual admittance to Shelter, date of signing M.A.P. contract, date of employment, and the date of exit from the program. Table 15 summarizes the average time intervals between all of those significant points.

Table 15

## Processing Time in Days

	Cases	Mean	Median	Maximum
Referral to Screening				
Total Referrals (414)	346	6.9	2.0	165
Successful Completions (95)	81	5.0	2.1	51
Screening to Decision				
Total Referrals (414)	329	18.7	4.0	399
Successful Completions (95)	81	12.6	6.0	64
Referral to Decision				
Total Referrals (414)	334	27.7	8.0	399
Successful Completions (95)	78	17.3	7.4	78
Decision to Admittance				
Total Accepted (174)	127	11.7	3.0	379
Successful Completions (95)	65	6.6	2.9	140
Admittance to Contract				
Total Accepted (174)	93	27.5	13.4	376
Successful Completions (95)	51	21.0	10.9	140
Contract to Employment <sup>14</sup>				
Total Accepted (174)	69	14.8	8.0	171
Successful Completions (95)	44	17.2	9.2	171
Employment to Exit				
Total Accepted (174)	95	62.2	49.4	266
Successful Completions (95)	62	66.4	50.8	266
Admittance to Exit				
Total Accepted (174)	100	75.9	57.4	284
Successful Completions (95)	55	88.5	62.8	284

The number of cases included in Table 15 varies considerably from period to period and are less than the number of cases reported in Tables 1 and 4. These variations result from the fact that many significant dates for participants were missing from case folders, the OS6 system, and, therefore, from these calculations. Nevertheless, sufficient cases with complete data were

<sup>14</sup> Only cases in which the contract was signed before employment are used here. An additional 56 participants signed contracts after beginning work.



available to conduct an analysis.

The Diagnostic Unit can be evaluated in terms of the length of time involved in screening referrals. According to Table 15, an average of 27.7 days was required to process an applicant from the date of initial referral until a final decision on acceptability was made. A few cases were in process for a long period of time and should be classified as "hold". The median discounts these cases and indicates that 50% of all referrals were processed in less than 8 days.

Further, Table 15 indicates that the typical accepted participant remained in the Shelter for an average of 75.9 days, and 50% of all participants remained in the program over 57.4 days. The typical successful completion remained for an average of 88.5 days and 50% of these remained for over 62.8 days. Although the differences in processing time between total accepted and successful completions is not large, Table 15 indicates that the Diagnostic Unit processing time for successful completion is less than for all referrals and that successful participants spend slightly more time in the Shelter than do all participants.

#### IV. Goals and Objectives

Goal 1. Expansion of community-based sentencing alternatives by operating a facility which processes 120 to 150 persons during the grant period.

The program failed to secure a separate community-based facility and consequently did not expand community-based sentencing alternatives. One hundred and seventy-four persons were accepted into the Shelter during the grant period. Therefore, the goal of processing 120 to 150 persons was exceeded by at least 24 cases.

Goal 2. 75% of the offenders in the Restitution Shelter are to make monetary payments to crime victims.

Table 9 indicates that 105 offenders made payments to victims of crime. This is 60% of the 174 accepted by the Shelter, a percentage less than that anticipated.

Goal 3. Symbolic or service restitution is to be made to crime victims where monetary payments are inappropriate.

Fifty-three individuals, comprising 30% of all participants, contributed community service restitution during the evaluation period.

Objective 1. The educational levels of the participants will increase according to the following criteria:

- a. Functional illiterates - 2.5 months
- b. Adult Basic Education - 7.0 months
- c. G.E.D. Candidates - Achievement of G.E.D.

Table 14 indicated that all of the above objectives have been exceeded by participants who were tested twice. However, Table 14 only included 56% of those accepted by the Program. The remaining 44% were either never tested or tested only once.

Objective 2. 75% of the offenders will be employed during the grant period.

Table 8 indicated that 148 or 85% of the 174 individuals accepted into the Shelter were placed into jobs, exceeding the objective by 10%.

Objective 3. 25% of the offenders will be placed into training slots.

According to program records, twenty-four (14%) participants were placed into on-the-job training programs. This number is less than the proposed 25% objective.

Objective 4. A Citizens Business Council (CBC) will be implemented to assist in gaining employment for participants.

As previously pointed out in Section B-2, Employment, in Chapter II, the CBC was found to be ineffective in finding employment and was dissolved in April of 1978.

Objective 5. Implement a version of the Mutual Agreement Program (M.A.P.) for each program participant.

Table 8 indicated that at least 84% of all participants placed into jobs had signed M.A.P. contracts. This percentage is less than the proposed objective.

Objective 6. A Diagnostic Unit will be created which will interview a minimum of 250 potential Restitution Shelter participants.

As stated in the Introduction of this report, the Part C grant for which the above objective applies ended on September 30, 1978. Objective 5 of the mini-block grant under which the Diagnostic Unit has operated since October 1, 1978 projected a total of 300 clients per year. Since one quarter of the latter grant will be included in this evaluation, 75 additional referrals will be added to the 250 projected in above Objective 6, bringing the total project clients to 325 for the entire evaluation period. Table 1 indicated that the Diagnostic Unit processed 414 individuals during the evaluation period. Therefore, the objective of 325 was exceeded by 27%.

## V. Fiscal Responsibility

### A. Costs

During the evaluation period the Restitution Shelter/Diagnostic Unit spent a combined total of \$196,916.00 of LEAA funds. An additional \$21,879.00 of City cash match brought the total expenditures to \$218,795.00 for the evaluation period. Tables 16.1-3 give a brief financial summary of the Restitution Shelter and the Diagnostic Unit.

### B. Diagnostic Unit

The simplest and most common method used to analyze costs is costs per client. This is computed by taking the cost spent on the project and dividing by the total intake. In the case of the Diagnostic Unit, total expenditures were \$59,392.00 and the total referrals processed were 414, an average of \$143.46 per referral. Since the accepted referrals totaled 174, the cost per accepted referral was \$341.33.

### C. The Restitution Shelter

The expenditures of the Restitution Shelter totaled \$159,403.00 and the number accepted was 174, an average of \$916.11 per participant. The costs per successful completion (95) were \$1,677.93. The cost per successful completion or early completion (107) was \$1,489.75. The cost per participant including both Diagnostic Unit costs and Shelter costs were \$218,795.00 divided by 174 or \$1,257.44 per participant. The cost per successful completion including both components was \$218,795.00 divided by 95 or \$2,303.10.

CRIMINAL JUSTICE COORDINATING COUNCIL  
1000 HOWARD AVENUE, SUITE 1200  
NEW ORLEANS, LOUISIANA 70113

Grant Title: Criminal Sheriff's Restitution Shelter - Diagnostic Unit

Grant Number: 76-C9-9.1-0368

Date Report

Period Covered: June 30, 1977 to September 30, 1978

Prepared: May 15, 1979

Item	TOTAL GRANT FUNDS			LEAA CASH ONLY		
	Amount Budgeted	Total Expenditures	Balance	Amount Budgeted	Total Expenditures	Balance
Personnel	28,028	28,644	(616)	22,417	23,562	(1,145)
Fringe	2,517	2,572	( 55)	2,517	2,572	( 55)
Travel	0	0	0	0	0	0
Equipment	15,874	10,992	4,882	15,874	10,992	4,882
Supplies	2,092	1,152	940	2,092	1,152	940
Contractual	2,500	2,362	138	2,500	2,362	138
Construction	0	0	0	0	0	0
Other Direct	2,550	2,550	0	2,550	2,550	0
Indirect	2,551	2,551	0	2,551	2,551	0
TOTAL	56,112	50,823	5,289	50,501	45,741	4,760

Note: Total grant funds includes both LEAA cash and City cash--- match of 10%.  
Expenditures include encumbrances.

Note: This report reflects the final fiscal status of the program on a 90 per cent federal and 10 per cent local cost basis. Cash overmatch is not included. This report is based on unaudited figures.

CRIMINAL JUSTICE COORDINATING COUNCIL  
1000 HOWARD AVENUE, SUITE 1200  
NEW ORLEANS, LOUISIANA 70113

Grant Title: Criminal Sheriff's Restitution Shelter - Diagnostic Unit

Grant Number: 78-C9-10.1-0001

Date Report

Period Covered: October 1, 1978 to December 31, 1978

Prepared: May 15, 1979

Item	TOTAL GRANT FUNDS			LEAA CASH ONLY		
	Amount Budgeted	Total Expenditures	Balance	Amount Budgeted	Total Expenditures	Balance
Personnel	20,600	8,161	12,439	18,334	7,304	11,030
Fringe						
Travel						
Equipment						
Supplies						
Contractual						
Construction						
Other Direct	1,030	0	1,030	1,030	0	1,030
Indirect	1,030	408	622	1,030	408	622
TOTAL	22,660	8,569	14,091	20,394	7,712	12,682

Note: Total grant funds includes both LEAA cash and City cash----- match of 10 per cent.  
Expenditures include encumbrances.

Note: The ending date for this grant is April 15, 1979. This report is based on a 90 per cent federal and 10 per cent local cost basis. Cash overmatch is not included. This report is based on unaudited amounts.

Grant Title: Criminal Sheriff's Restitution Shelter

Grant Number: 77-E9-9.1-0145

Period Covered: 6/30/77 to 12/31/78

Date Report

Prepared: May 15, 1979

Item	TOTAL GRANT FUNDS			LEAA CASH ONLY		
	Amount Budgeted	Total Expenditures	Balance	Amount Budgeted	Total Expenditures	Balance
Personnel	114,954	113,434	1,520	98,287	97,494	793
Fringe	7,005	6,908	97	7,005	6,908	97
Travel	1,781	515	1,266	1,781	515	1,266
Equipment	24,021	22,272	1,749	24,021	22,272	1,749
Supplies	1,732	1,029	703	1,732	1,029	703
Contractual	0	0	0	0	0	0
Construction	0	0	0	0	0	0
Other Direct	9,598	7,669	1,929	9,598	7,669	1,929
Indirect	7,576	7,576	0	7,576	7,576	0
TOTAL	166,667	159,403	7,264	150,000	143,463	6,537

Note: Total grant funds includes both LEAA cash and City cash -- match of 10 per cent. Expenditures include encumbrances.

Note: This report reflects the fiscal status of the program based on a 90 per cent federal and 10 per cent local cost basis. This report is based on unaudited amounts.



Including both successful and early completions this figure would be \$218,795.00 divided by 107 or \$2,044.81. Table 17 summarizes this information.

Table 17  
Costs per Client

	<u>Costs</u>	<u>Cases</u>	<u>Costs/Case</u>	<u>Average Number of Days in Each Component</u>	
				<u>Mean Days</u>	<u>Case Cost Per Day</u>
Diagnostic Unit					
Costs per referral	\$ 59,392	414	\$ 143.46	27.7	\$ 5.18
Costs per accepted referral	59,392	174	341.33	27.7	12.32
Restitution Shelter					
Costs per participant	159,403	174	916.11	75.9	12.06
Costs per successful completion	159,403	95	1,677.93	75.9	22.11
Costs per successful or early completion	159,403	107	1,489.75	75.9	19.63
Diagnostic Unit/Restitution Shelter					
Costs per participant	218,795	174	1,257.44	103.6	12.14
Costs per successful referral	218,795	95	2,303.10	103.6	22.23
Costs per successful or early referral	218,795	107	2,044.81	103.6	19.74

Another approach is to calculate the unit costs per day. The mean processing time in table 15 indicated the average days in the Diagnostic Unit was 27.7 days and the average days in the Restitution Shelter was 75.9 days, a combined mean of 103.6 days in both units. To calculate the unit costs per day, the total unit costs were divided by the average number of days in each component. Table 17 indicates that it cost an average of \$22.23 per day for each successful completion and \$19.74 per day for combined successful and early completions.

This cost study is limited because the total costs of the project, including all indirect and social costs were not included. Due to the difficulty in calculating all indirect and social costs, this analysis applies only to the total grant expenditures in Tables 16.1-3.

## VI. Conclusions and Recommendations

### Conclusions

Based upon the preceding preliminary analysis, the Orleans Parish Criminal Sheriff's Restitution Shelter/Diagnostic Unit attained many of its stated goals and objectives in a cost effective manner.

The Restitution Shelter did not secure a community-based facility separate from the Community Corrections Center as was proposed in the original grant application. As a result, the Shelter has operated from within the existing Community Corrections Center. Although this institutionalized housing has not created specific conflicts with the Shelter's activities, Goal One was only partially achieved as the Shelter was located in the new Orleans Parish Prison, thereby not expanding community-based sentencing alternatives. If the Shelter projects an increase in the number of annual participants without a reduction in the already too short length of stay in the program, additional housing space will be necessary.

The Shelter had anticipated an average participant stay of 4-6 months while, in fact, the median stay was only 2½ months, although the median stay in the program for successful completions would be longer if the early completions and terminated groups were eliminated. It seems that the average length of stay is

considerably less than anticipated and, in some cases, not sufficient to make full restitution.

The Shelter generated a total of \$130,220.87 in earnings from the participants and, of that amount, paid \$11,608.38 to victims of crime. Additionally, the participants reimbursed the C.J.S. \$26,741.50 and provided the offenders themselves or their families with \$70,014.67.

The Citizens Business Council which was to operate in the area of job placement proved ineffective and was discontinued in April of 1978. The Mutual Agreement Program, although implemented for less than 100% of all participants as specified in the goals and objectives, seemed to be successful in terms of specificity and clarity. Finally, the Diagnostic Unit exceeded the objective of screening 250 referrals per year by 27%.

#### Recommendations

Recommendation One: It is recommended that greater emphasis be placed upon restitution payments made to victims of crime.

The percentage of the total earnings disbursed to victims during the period covered by this evaluation was only 8% and should be increased substantially. It is recommended that the payments made to victims, direct victims or elderly victims, as determined by the staff's victim loss assessment, be substantially increased from only

\$1.00 per day. The quality of staff's victim loss assessment should be improved in order to more accurately reflect the full loss to the victim. More direct victims should be identified and less offenders should be assigned to pay to the E.V.R.F. Since the original grant proposal did not mention the E.V.R.F. as a substitute victim, the use of the E.V.R.F. as the sole victim receiving restitution payments should be discouraged.

Recommendation Two: Special attention should be provided to younger participants ordered by the Court to pay restitution to victims for crimes of burglary or robbery.

This preliminary impact evaluation identified those individuals as the participants most likely to be terminated from the program for disciplinary reasons. Therefore, it is recommended that the behavior and progress of this group of offenders be closely monitored and that special care be exercised in employment placement so as to put high risk individuals into closely supervised job situations which allow for greater employer coordination and cooperation in the rehabilitation process. Additionally, the educational and counseling staff should single out these participants for special attention. Finally, close contact with the staff, employers, and quad supervisors should be maintained in order to prevent a small problem from developing into a cause for termination.

Recommendation Three: Accurate and complete records should be maintained for each participant in the Program.

Three Program areas could benefit from improved record keeping procedures. The educational section should test all participants at least twice, when accepted into the Shelter and again when released. These test scores should be both accurate and complete for all participants. In addition, averaging the three C.A.T. scores is an invalid method of scoring, and placement or progress made on that basis is invalid.

Also, earnings and payments records should be maintained for each participant in order to determine per capita earnings. Per capita financial data is necessary for more sophisticated monitoring, evaluation, and administration of the program. Lastly, individualized records should be kept for all community service work and symbolic restitution performed by participants. As this type of restitution comprises approximately 25% of all restitution made, complete individualized records should be maintained.

Recommendation Four: A restitution program for women should be established.

The number of women committing crimes, especially property crimes, has increased rapidly over the past few years. An effective restitution program for women should be established either as part of

or separate from the Restitution Shelter.

Recommendation Five: Efforts should continue to secure a community-based facility for the Program.

In order to fulfill a major goal of the Program, to expand community-based sentencing alternatives, it is recommended that continuing efforts be made to secure a facility separate from the new Parish Prison.

Recommendation Six: The Diagnostic Unit should seek more referrals ordered by the Courts to pay restitution.

As the Shelter was established as a viable sentencing alternative, the Courts should act as the primary source of referrals, with the payment of restitution being a condition of reduced sentences by the Courts.

Recommendation Seven: Victims to whom restitution payments have been made should be followed up by Shelter personnel.

A major theory governing the advent of restitution programs concerns impacting and increasing community satisfaction with the C.J.S. That theory holds that if victims and the community have more confidence in the system, more crimes will be reported, more witnesses will cooperate with the prosecution, and, consequently, crime will be reduced.

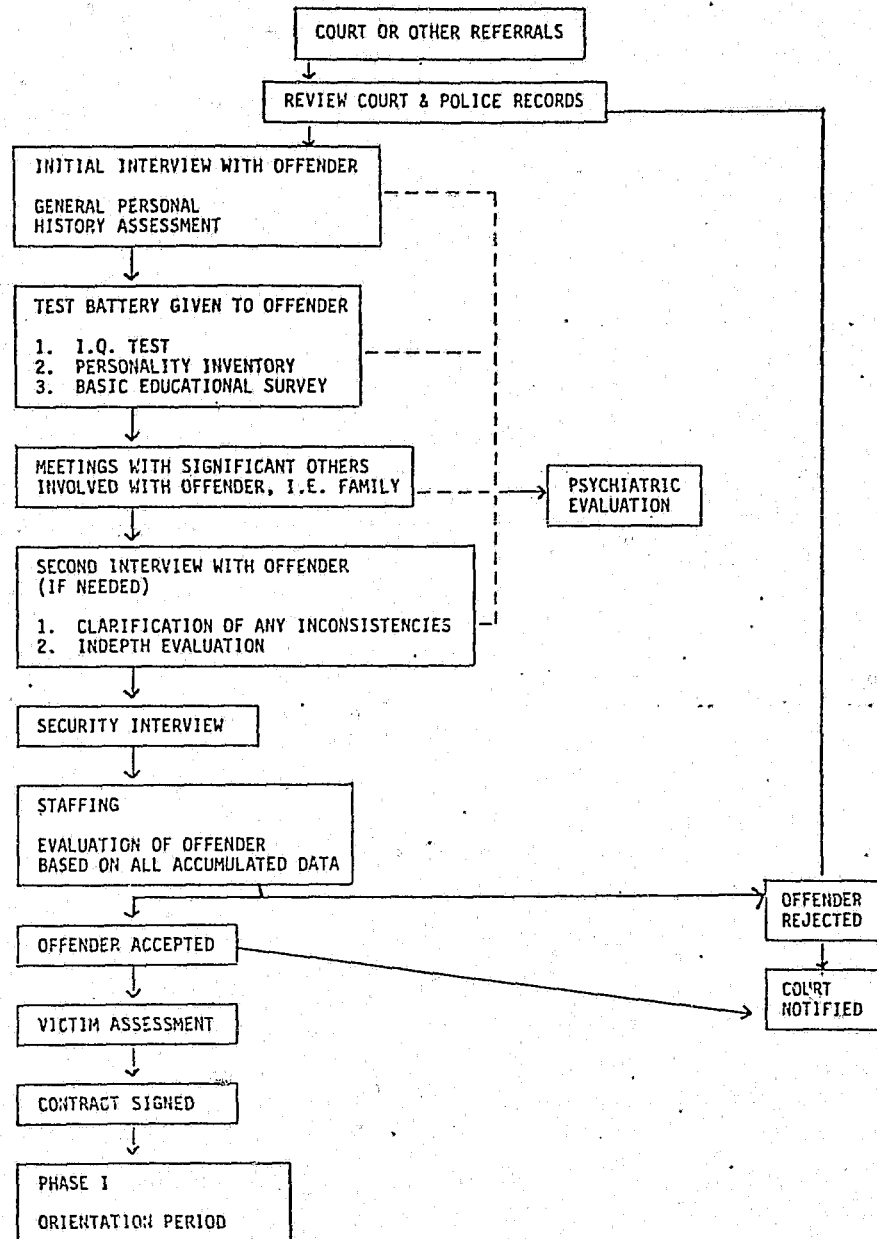
Recommendation Eight: Explore the possibility of using an inmate's savings to pay for his fine for criminal neglect.

A substantial number of participants are being detained as a result of their inability to pay a fine for a criminal neglect conviction. It is recommended that these persons be allowed to use part of their savings to pay the fine after all other restitution payments to their wife and/or to the criminal justice system are paid.

## VII. APPENDICES

### A. Diagnostic Unit Workflow Chart

#### DIAGNOSTIC UNIT - PROCESSING DIAGRAM





## B. First Interview Questionnaire

### NEWARK JAIL PRISON --- INTAKE INTERVIEW FORM

#### --- BOOKING DATA ---

Name on record: \_\_\_\_\_ True Name: \_\_\_\_\_  
 Aliases (if any): \_\_\_\_\_  
 Address at time of arrest: \_\_\_\_\_ PHONE # \_\_\_\_\_  
 How long? \_\_\_\_\_ Own? \_\_\_\_\_ Rent? \_\_\_\_\_ All changes of address within the  
 last 12 months: \_\_\_\_\_  
 Type(s) of offense(s): \_\_\_\_\_ Capias #: \_\_\_\_\_  
 D.S.: \_\_\_\_\_ Sentence: \_\_\_\_\_ Court Cost: \_\_\_\_\_  
 GT: \_\_\_\_\_ FT: \_\_\_\_\_ Offender Class: \_\_\_\_\_  
 Judge: \_\_\_\_\_ Defense Counsel: \_\_\_\_\_  
 D.A.: \_\_\_\_\_ P.O.: \_\_\_\_\_  
 Comments: \_\_\_\_\_

#### --- INTAKE DATA ---

Interview Date: \_\_\_\_\_ Interviewer: \_\_\_\_\_  
 Referral Date: \_\_\_\_\_ Arrest Date: \_\_\_\_\_  
 Arrest #: \_\_\_\_\_ Docket #: \_\_\_\_\_ BOI #: \_\_\_\_\_  
 Booking #: \_\_\_\_\_ FBI #: \_\_\_\_\_ OCN #: \_\_\_\_\_

#### --- DESCRIPTIVE DATA ---

Date of birth: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_  
 Birthplace: \_\_\_\_\_ SS #: \_\_\_\_\_  
 Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Weight: \_\_\_\_\_ Height: \_\_\_\_\_  
 Identifying marks (if any): \_\_\_\_\_  
 Religious Faith (if any): \_\_\_\_\_

#### --- FAMILY DATA ---

Mother's name: \_\_\_\_\_ Age: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Occupation: \_\_\_\_\_  
 Father's name: \_\_\_\_\_ Age: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Occupation: \_\_\_\_\_  
 Parents' marital status: \_\_\_\_\_  
 No. of siblings in family: \_\_\_\_\_ Inmate's birth order rank: \_\_\_\_\_  
 Criminal history of family members (if any): \_\_\_\_\_  
 Significant others involved in family scheme & their relationships: \_\_\_\_\_

## B. First interview questionnaire (cont.)

\*\*\*\*\*  
 SINGLE? MARRIED? DIVORCED? SEPARATED? WIDOW(CR)? COMMONLAW?

If married, wife's maiden name:

Wife's age: Wife's address:

Marriage date: Divorce date: No. of children:

Are you paying child support? If so, how much are you paying?

Comments on marital relationship(s):

\*\*\*\*\*  
 --- FINANCIAL DATA ---

List all sources of income and amounts received:

Savings account? If so, what is your bank balance?

Name and location of your bank:

Checking account? If so, what is your bank balance?

Name and location of your bank:

Name(s) of Your Principal Creditors	Monthly Payments	Amounts Owed
.....		
Total income last year (before taxes):		
Comments:		

\*\*\*\*\*  
 --- MILITARY DATA ---

Have you ever served? If so, in which branch?

What special training did you receive?

What type of discharge did you receive?

What military benefits have you used?

Comments:

## B. First interview questionnaire (cont.)

### \*\*\*\*\* HEALTH DATA \*\*\*\*\*

Any health problems that might limit your employability?

Are you presently under the care of a physician? If so, what is the name of

your doctor? For what ailment is he treating you?

Discuss any hospitalizations you have had:

Discuss any operations you have had:

What medications are you currently taking?

Have you ever been treated for mental illness? If so, when?

And where?

Have you ever felt the need for psychiatric treatment? If so, why?

Discuss any family members who have been treated for mental illness:

### \*\*\*\*\* - - - SUBSTANCE-ABUSE DATA - - - \*\*\*\*\*

Discuss any involvement you may have had with drugs and/or alcohol at the time of your arrest:

Discuss relationship between substance abuse and your prior arrests (if any):

Describe your participation in substance-abuse treatment programs:

List the names and relationship of any family members who have been involved with drugs and/or alcohol:

SUBSTANCE	USAGE		AGE BEGAN	USAGE PATTERN	SUPPORT OF HABIT	REASON FOR USAGE
	YES	NO				
Alcohol						
Marijuana						
Barbituates						
Sedatives						
Cocaine						
Amphetamines						
Mescaline						
LSD						
Heroin						
Methadone						

B. First interview questionnaire (cont.)

- - - ARREST/CONVICTION DATA - - -

List all of your juvenile arrests and convictions:

[illegible]

List all of your adult arrests and convictions:

[illegible]

List all charges which are pending against you:

[illegible]

At the time of your current offense, with whom were you living?

\_\_\_\_\_

At what address?

What was your occupation at that time?

Describe your version of the current offense:

*[The page contains faint horizontal lines and several small dark spots or artifacts.]*

Who were your co-defendants?

---

B. First interview questionnaire (cont.)

----- EDUCATIONAL/VOCATIONAL DATA -----

Last school attended: \_\_\_\_\_

Address of last school: \_\_\_\_\_

Highest grade completed: \_\_\_\_\_ Year: \_\_\_\_\_ Age: \_\_\_\_\_ Your reason for leaving school: \_\_\_\_\_

Special classes in school: \_\_\_\_\_

Special interests or hobbies: \_\_\_\_\_

Have you made any attempt to further your education? \_\_\_\_\_ If you have, then explain where \_\_\_\_\_ and when \_\_\_\_\_

Have you had any vocational training? \_\_\_\_\_ If you have, then describe it: \_\_\_\_\_

Do you have any educational or vocational goals? \_\_\_\_\_ If you have, what are they? \_\_\_\_\_

Comment on your school experiences: \_\_\_\_\_

\*\*\*\*\*  
----- EMPLOYMENT HISTORY -----

Last employment: \_\_\_\_\_

Address: \_\_\_\_\_

Job title: \_\_\_\_\_ Pay rate: \_\_\_\_\_

Type of job: Skilled \_\_\_\_\_ Unskilled \_\_\_\_\_ Professional \_\_\_\_\_ Technical \_\_\_\_\_  
Vocational \_\_\_\_\_ Other \_\_\_\_\_ Immediate Supervisor: \_\_\_\_\_

Length of employment: \_\_\_\_\_ Full-time \_\_\_\_\_ Part-time \_\_\_\_\_

Your reason for leaving: \_\_\_\_\_

PREVIOUS EMPLOYERS & THEIR ADDRESSES

1. \_\_\_\_\_ Tasks: \_\_\_\_\_

PT: \_\_\_\_\_ FT: \_\_\_\_\_ Pay rate: \_\_\_\_\_

Length of job: \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

2. \_\_\_\_\_ Tasks: \_\_\_\_\_

PT: \_\_\_\_\_ FT: \_\_\_\_\_ Pay rate: \_\_\_\_\_

Length of job: \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

3. \_\_\_\_\_ Tasks: \_\_\_\_\_

PT: \_\_\_\_\_ FT: \_\_\_\_\_ Pay rate: \_\_\_\_\_

Length of job: \_\_\_\_\_ Reason for leaving: \_\_\_\_\_

How do you feel about working? \_\_\_\_\_

What kind of work do you prefer? \_\_\_\_\_

Comments on employment: \_\_\_\_\_

B. First interview questionnaire (cont.)

CLIENT-REFERENCE SHEET

WORK RELEASE - RESTITUTION - REHABILITATION

1. NAME OF PERSON WITH WHOM YOU WILL LIVE AFTER BEING RELEASED FROM PRISON:

PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

IS THIS PERSON TAKING CARE OF YOUR POSSESSIONS? YES \_\_\_\_\_ NO \_\_\_\_\_

2. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

3. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

4. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

5. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

6. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

7. NAME: \_\_\_\_\_ PHONE NO.: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

RELATIONSHIP: \_\_\_\_\_

Note:- One of the above references may be your attorney.

Form-preparation completion date: April 19, 1978

By: Yvonne Stewart

2<sup>nd</sup> interview form

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_ RACE \_\_\_\_\_ SEX \_\_\_\_\_  
 LAST FIRST MI.

MARITAL STATUS: SINGLE:      MARRIED:      DIVORCED:      SEPARATED:

VERBAL	INAPPROPRIATE AFFECT
NONVERBAL	COOPERATIVE
SPONTANEOUS	UNCOOPERATIVE
NONSPONTANEOUS	ABSTRACT THINKING PRESENT
APPROPRIATE AFFECT	CONCRETE THINKING PRESENT

[illegible]

YOUR REASON FOR LEAVING: \_\_\_\_\_

LENGTH OF JOB: REASON FOR LEAVING:

C. Second interview questionnaire (cont.)

SYMPTOMATOLOGY (CIRCLE IF APPROPRIATE)

1. ANXIETY:

TREMBLING

WEAKNESS

SHAKINESS

DIZZINESS

BREATHLESSNESS

CHEST PAIN

NERVOUSNESS

RAPID HEART BEAT

2. DEPRESSION:

INSOMNIA

LOSS OF INTEREST IN ACTIVITIES

EXCESSIVE SLEEPINESS

TEARFULNESS

RECENT WEIGHT LOSS

FEELINGS OF LOW SELF-ESTEEM

RECENT WEIGHT GAIN

HOPELESSNESS

HEADACHES

PREOCCUPATION WITH DEATH

HYPOCHONDRICAL COMPLAINTS

SUICIDAL THOUGHTS

SHORT ATTENTION SPAN

PREVIOUS SUICIDE ATTEMPTS

FATIGUE

DELUSIONS OF POVERTY, SINFULNESS, & DISEASE

3. PSYCHOSIS:

STRANGE BEHAVIOR

SUICIDAL PREOCCUPATION

EMOTIONAL UNRESPONSIVENESS

HOMICIDAL IDEATION

INAPPROPRIATE EMOTIONAL RESPONSES

DELUSIONS OF GRANDEUR OR UNUSUAL POWERS

VISUAL HALLUCINATIONS

DELUSIONS OF PERSECUTION AND CONTROL

AUDITORY HALLUCINATIONS

BIZARRE MOTOR BEHAVIOR

EXCESSIVE RESTLESSNESS

LOOSE THOUGHT ASSOCIATIONS

PROMINENT MOOD CHANGES

INABILITY TO FORM CLOSE RELATIONSHIPS

ALTERATIONS IN INTEREST AND ENERGY

DISORIENTATION

PHYSICAL HEALTH:

1. PRESENCE OF SERIOUS ILLNESS: \_\_\_\_\_

2. ACCIDENTS/INJURIES: \_\_\_\_\_

3. OPERATIONS: \_\_\_\_\_

4. ALLERGIES: \_\_\_\_\_

5. PRESENT MEDICATIONS, IF ANY: \_\_\_\_\_

PSYCHIATRIC HISTORY:

1. PREVIOUS PSYCHIATRIC HOSPITALIZATIONS: \_\_\_\_\_

2. PREVIOUS PSYCHIATRIC OUTPATIENT TREATMENT, IF ANY: \_\_\_\_\_

3. PRESENCE OF ALCOHOL OR DRUG ABUSE: \_\_\_\_\_



C. Second interview questionnaire (cont.)

BACKGROUND INFORMATION:

1. FAMILY HISTORY: \_\_\_\_\_

PRESENCE OR ABSENCE OF FAMILY SUPPORT: \_\_\_\_\_

DESCRIPTION OF MOTHER: \_\_\_\_\_

DESCRIPTION OF FATHER: \_\_\_\_\_

RELATIONSHIP W/ SIBLINGS & PARENTS: \_\_\_\_\_

2. EDUCATIONAL BACKGROUND: \_\_\_\_\_

ACADEMIC PERFORMANCE: \_\_\_\_\_

BEHAVIOR (FIGHTING, DISCIPLINARY PROBLEMS) \_\_\_\_\_

RELATIONSHIP W/TEACHERS: \_\_\_\_\_

RELATIONSHIP W/PEERS: \_\_\_\_\_

DAILY ACTIVITIES AND SOCIAL LIFE (PEER RELATIONSHIPS USE OF LEISURE TIME:)

DESCRIPTION OF SELF (PERSONALITY, HOW HE HANDLES FEELINGS OF ANGER, SADNESS, ETC.):

DESCRIPTION OF SELF/SELF CONCEPT:

\*HOW WOULD YOUR MOTHER DESCRIBE YOU ? \_\_\_\_\_

WHAT KIND OF DISPOSITION WOULD SHE SAY YOU HAD? \_\_\_\_\_

HOW WOULD YOUR FRIENDS DESCRIBE YOU? \_\_\_\_\_

WHAT KIND OF REPUTATION DID YOU HAVE IN SCHOOL? \_\_\_\_\_

DAILY ACTIVITIES

HOW DO YOU SPEND YOUR FREE TIME? \_\_\_\_\_

WHAT ARE YOUR HOBBIES? \_\_\_\_\_

DO YOU HAVE MANY FRIENDS? \_\_\_\_\_

HOW DO THEY SPEND THEIR FREE TIME? \_\_\_\_\_

MARITAL HISTORY, IF APPLICABLE:

WIFE'S MAIDEN NAME: \_\_\_\_\_ AGE: \_\_\_\_\_

MARRIAGE DATE: \_\_\_\_\_ NO. OF CHILDREN: \_\_\_\_\_

IF DIVORCED, WHEN: \_\_\_\_\_

ARE YOU PAYING CHILD SUPPORT? \_\_\_\_\_ IF SO, HOW MUCH? \_\_\_\_\_

CONTENTS OF MARITAL RELATIONSHIPS: \_\_\_\_\_

IMPRESSIONS:

HOW APPLICANT PRESENTS HIMSELF:

HANDLING OF FEELINGS, ESP. ANGER:

EVIDENCE OF PSYCHOSIS:

INTELLECTUAL LEVEL:

INSIGHT & JUDGEMENT: \_\_\_\_\_

MOTIVATION FOR PARTICIPATION IN PROGRAM:

RECOMMENDATIONS:

D. Sample Refusal Affidavit

CRIMINAL SHERIFF

Parish of Orleans - State of Louisiana - New Orleans, Louisiana 70119

CHARLES C. FOTI, JR.  
Sheriff

ORLEANS PARISH CRIMINAL SHERIFF'S RESTITUTION PROGRAM

REFUSAL OF PROGRAM

I        understand that Judge  
Hana referred me for evaluation by the Diagnostic Unit  
of the Restitution Program. I also understand that participation  
in this program is voluntary. After having the program  
explained to me, I have decided to refuse to participate for  
the following reasons:

1. I don't want to be half free. Don't think  
I could accept being locked up at night & freedom  
the day [I feel fearful that he would violate rules].

DEPENDANT'S SIGNATURE

C. Everett, msu  
WITNESS

October 30, 1978  
DATE

E. Sample Cover Letter to Victim

March 8, 1979

Mrs. John Doe  
1708 America Street  
New Orleans, Louisiana

Re: Joe Offender

Dear Mrs. Doe:

As per our conversation of March 5, 1979, enclosed is your check in the amount of \$453.00. The check is the restitution payment from Joe Offender.

Thank you for your cooperation in this matter. If you have any further questions in this matter, please feel free to contact this office.

Sincerely,

Betsy J. Magee  
Orleans Criminal Sheriff's Restitution Program  
BJM/mc  
Enclosure (1)

## F. Sample M.A.P. Contract

### ORLEANS PARISH CRIMINAL SHERIFF'S RESTITUTION PROGRAM MUTUAL AGREEMENT CONTRACT

This agreement made this day between \_\_\_\_\_  
and \_\_\_\_\_, Orleans Parish Criminal Sheriff  
defines mutual responsibilities and utilizes an individualized  
program to prepare \_\_\_\_\_ for a successful  
community adjustment following his release. All parties agree as  
follows:

#### PART I.

I, \_\_\_\_\_ hereby agree that I shall conform  
my conduct to the Rules and Regulations established for this program  
and incorporated into this Agreement as Attachment I. I further  
understand and agree to successfully complete within my reasonable  
capabilities the objectives outlined in this document in considera-  
tion for a specific release date. I understand that I may petition  
for either termination or renegotiation of this Agreement at any time  
before my release.

I realize that failure either to successfully complete my objec-  
tives or to conform my conduct to the Rules and Regulations shall  
constitute sufficient grounds for any other Party to this Agreement  
to terminate or renegotiate this Agreement and my participation in the  
program. If recommendation of termination occurs, I will be allowed  
a hearing before the Criminal Sheriff's disciplinary board.

If my participation in the Program is as a condition of probation,  
I understand that termination of my participation in the program will  
result in a recommendation to the Court that probation be revoked.

I agree that if I am charged with escape (which includes walk-off),  
I will forfeit to the general program fund all monies in my account  
accumulated during my participation in the program. If I am terminated  
from the program for unsuccessful completion of my objectives or failure  
to conform to rules and regulations incorporated in Attachment I (other  
than escape or walk-off), I understand that monies will be deducted  
from my account to cover the cost of restitution, court costs, and  
food charges, and the remainder returned to me.

## F. Sample M.A.P. Contract for Court Ordered Restitution

### PART III

I, Charles C. Foti, Jr., ORLEANS PARISH CRIMINAL SHERIFF, agree that the above named inmate will be released on 8/30 1979 CONTINGENT UPON HIS SUCCESSFUL COMPLETION of the objectives mentioned below and his successfully conforming his conduct to the Rules and Regulations established for this Program.

### PART IV.

#### OBJECTIVES

##### A. Education

see supplement

##### 1. Attend Classes

4 nights weekly

##### 2. Increase educational level by

see attachment

##### B. Work Assignment

1. To work to the best of my ability at the job provided for me by the Restitution Program.

C. Restitution \$300.00 & \$70.00 Court Cost

D. Other \$3.00 per day for food cost to be paid to the Orleans Parish Sheriff Office.

E. Community Service - Whichever is less 50 hours of Community Service or 12 hours per month.

F. Sample M.A.P. Contract for Child Support Restitution

PART III

I, Charles C. Foti, Jr., ORLEANS PARISH CRIMINAL SHERIFF, agree

that the above named inmate will be released on \_\_\_\_\_ 19 \_\_\_\_\_

CONTINGENT UPON HIS SUCCESSFUL COMPLETION of the objectives mentioned below  
and his successfully conforming his conduct to the Rules and Regulations  
established for this Program.

PART IV.

OBJECTIVES

A. Education

1. Attend Classes

4 nights weekly

2. Increase educational level by

see attachment

B. Work Assignment

1. To work to the best of my ability at the job provided for me by  
the Restitution Program.

C. Restitution 20% Net income Child Support

D. Other \$3.00 per day for food cost to be paid to the  
Orleans Parish Sheriff Office.

E. Community Service - Whichever is less 50 hours of Community  
Service or 12 hours per month.

**CONTINUED**

**1 OF 2**



F. Sample M.A.P. Contract for Victim Assessment or  
Elderly Victim Relief Fund Restitution

PART III

I, CHARLES C. FOTI, JR, ORLEANS PARISH CRIMINAL SHERIFF, agree  
that the above named inmate will be released on MAY 9 1979 1979  
CONTINGENT UPON HIS SUCCESSFUL COMPLETION of the objectives mentioned below  
and his successfully conforming his conduct to the Rules and Regulations  
established for this Program.

PART IV.

OBJECTIVES

A. Education

1. Attend Classes

4 nights weekly

2. Increase educational level by

see attachment

B. Work Assignment

1. To work to the best of my ability at the job provided for me by  
the Restitution Program.

C. Restitution

\$1.00 per day to be paid to the Victim and or  
to the Elderly Victim Compensation fund  
as determined by the Program Director. & \$70.00 Court Cost  
or 30 additional days Parish Prison.

D. Other \$3.00 per day for food cost to be paid to the  
Orleans Parish Sheriff Office.

E. Community Services: Whichever is less 50 hours of Community  
Service or 12 hours per month.

F. Sample M.A.P. Contract (cont.)

PART IV.

All questions, issues or disputes respecting determination of successful completion of this Agreement by the participants shall be decided by the Orleans Parish Criminal Sheriff. The decision shall be in writing and shall set forth the facts on which it is based, shall state the reasons for the decision and shall be rendered within five (5) days.

IN WITNESS WHEREOF the parties undersigned have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
INMATE

\_\_\_\_\_  
ORLEANS PARISH CRIMINAL SHERIFF  
AND PROJECT DIRECTOR

\_\_\_\_\_  
PROGRAM DIRECTOR

## G. Rules and Regulations

### RESTITUTION PROGRAM RULES, REGULATIONS AND PROCEDURES

1) Prohibited Items

No weapons, alcohol, drugs or other unauthorized items will be permitted in the Restitution Area. Any resident found in possession of contraband will be dismissed from the program. Contraband includes any item or items inside the center not issued or approved by the center.

All medication will be controlled and distributed by the security officer on duty.

Any resident returning to the center under the influence of alcohol or drugs will be disciplined appropriately.

2) Rights of Staff to inspect and search

The staff has the right to inspect and search any resident, his property or his room. Periodic shakedowns may be expected.

3) Dress Code

- a. Residents are to be clean shaven each day. Beards are not allowed. Neatly trimmed mustaches may be worn.
- b. Bush style hair cuts may not exceed 1½ inches in length. Side burns shall be neatly trimmed and extend to the lowest part of the ear lobe.
- c. Residents participating in the orientation phase of the program shall wear regulation CCC uniforms.
- d. After completion of the orientation phase, residents will be permitted to keep minimum personal clothing appropriate for their designated jobs. Clothing will be kept in the resident's assigned room, and rooms will be locked when residents are out of the building and during sleeping hours.

Residents authorized to possess personal clothing shall wear pants, shirt and shoes while out of sleeping quarters.

4) Telephone Calls

Residents may make written requests to members of the staff requesting the use of the telephone. Telephone requests must state the place, time requested and name and telephone number of the party. Deputies will be responsible for dialing the telephone number.

5) Use of Vehicles

Residents will not be permitted utilization of a private motor vehicle for transportation to and from work. Public transportation will be used. Special arrangements will be made for those unable to utilize public transportation at the time of job assignment.

6) Mail

Mail will be distributed to residents by the security officer on duty. Incoming mail may be opened for a check of contraband.

7) Smoking

Smoking is permitted in designated areas only. Smoking will not be permitted in the resident's sleeping quarters.

8) Room Restriction and Curfew

- a. Each resident is responsible for keeping his room neat and clean.
- b. A resident is not allowed in another resident's room at any time.
- c. Rooms are to be locked when the resident leaves the Restitution area and at night while he is sleeping.
- d. On weekdays, residents are to be in their rooms at 10:30. Doors will be locked at 11:00. Sunday is considered a weekday. Curfew will be 12:30 on Friday and 1:00 on Saturday.

9) Visitors

Visitors to residents of the Restitution Center will follow the procedures outlined for visitors to the CCC

## G. Rules and Regulations (cont.)

### 10) Money Management

Residents who are employed will turn in their uncashed paycheck and check stub to the deputy on duty. The resident will receive a receipt for his paycheck at the time it is turned in. Each resident is responsible for turning in his money to the Center on the day he is paid.

A weekly allowance for persons working will be issued each week. A resident is not allowed to receive cash advances from an employer. Any resident being paid in cash by an employer must acquire a note stating the amount of hours worked and the total amount paid.

### 11) Room and Board

Residents will be charged \$3.00 per day for food. Room and board is not charged while the resident is in the orientation phase of the program.

### 12) Pass Policies and Procedures

All pass requests will be turned in by Tuesday of each week to the Director via the resident's counselor for either approval or disapproval. Weekday passes may be issued for special supervised activities, with approval from the appropriate parties. Once a resident is on pass and returns to the Center without probable cause, the remainder of his pass is terminated.

Residents in the orientation phase of the program are not eligible for passes.

### 13) Responsibilities

- a. Residents are liable for any willful destruction of the properties of the Center.
- b. Any medical costs to see a doctor other than the Center's physician will be paid for by the resident.
- c. All prescribed medicine will be paid for by the resident as long as money is available in the resident's account.
- d. All residents are responsible for being punctual and meeting all time limits required by the Center.

### 14) Transportation to the Restitution Area

The Restitution residents will enter the front first floor entrance (Gravier Street) of the CCC and immediately report to the deputy assigned to the area.

The inmate will then be put through the electronic frisk (metal detector).

The front entrance deputy will notify the 3rd floor Restitution Area of the resident's arrival.

The Restitution deputy will take the visitors elevator to the first floor and escort the resident via the visitors elevator to the 3rd floor.

Upon entering the 3rd floor area the residents will be escorted into the group visiting room where he will remove his clothing in the attorney booth.

The Restitution deputy will search the resident and the resident's clothing.

The residents will dress and be escorted into the Restitution Area.

Upon leaving for work, residents will dress, report to the Restitution deputy and be escorted via the visitors elevator to the first floor.

### 15) In-House Discipline

Violations occurring within the Restitution Area will be handled through the Sheriff's Disciplinary Board.

### 16) Specific Behavior Prohibited

Abusive language, physical violence, taking of others property, infringements of other's right will not be tolerated.

# CRIMINAL SHERIFF

Parish of Orleans - State of Louisiana - New Orleans, Louisiana 70119

CHARLES C. FOTI, JR.  
Sheriff

June 13, 1979

Mr. Frank Serpas  
CJCC  
1000 Howard Avenue  
New Orleans, Louisiana 70113

Dear Frank:

The recent evaluation of the Restitution Program performed by your staff was both fair and competent. We have found much of the information valuable and will put it to good use as the program continues.

The few relatively minor errors of fact found in the evaluation have already been addressed and remedied in phone conversations between Michael Geerken of my staff and Steve Hunt and Gilbert Litton of CJCC. I myself would like to take this opportunity to respond to some specific findings and recommendations found in the evaluation, not so much in rebuttal as in explanation and development of some of the key points.

The comments are made several times throughout the evaluation that the Criminal District Court Judges have not referred as many offenders to the program as was hoped and, in particular, did not order them to pay restitution as often as was desired. Our experience in the program has taught us, however, that changes in sentencing patterns are not made easily. Thorough documentation of contacts made with the Criminal Court Judges by program personnel, both individually and enhanced, would run to many pages. At present, members of the Diagnostic Unit visit each judge on a weekly basis. These contacts have borne fruit, and the rate of judicial referrals has shown a gradual increase over the entire history of the program.

Secondly, I would like to comment on the quality of record keeping in the Restitution program. There have been errors and omissions to be sure. But a great many pieces of information classified as "missing" in the evaluation fall into one of two categories: Either the data was never intended to be formally maintained, that is, CJCC program monitors and evaluators had never requested the data be kept until the time came for the evaluation to be done, or the data could not be kept due to the nature of the information itself. In this first category, I include certain dates (see especially section G) which the staff painstakingly dug out from old security log books, record room folders, and miscellaneous other sources at the evaluator's request. We have never received clear guidance on what information would be required for the evaluation, and thus our opinion of what data was important did not always mesh precisely with that of the evaluator.

Page -2-  
Mr. Serpas  
June 13, 1979

As to the second point, quite often data classified as missing was simply not collectible. For example, in some cases inmates did not receive the two CAT tests necessary to register educational progress. In many of these "missing" cases, however, the program participants had been terminated from the program for disciplinary reasons. When such terminations occur, they generally happen after a relatively short time in the program. Retesting at termination is only inaccurate because of the short time that has generally elapsed since the first test, it is doubly misleading because of the trauma the typical participant experiences when he loses work release privileges. Another group of the missing cases are the criminal neglect participants. Since these individuals can generally be released the instant a friend or family member pays their fine, it is impossible to know when the individual will roll out so that a retest can be planned prior to that date.

Before addressing the recommendations, I'd like to turn for a moment to the question of processing time (Section G). The analysis as presented seems to indicate that an inordinate amount of time is spent in processing an individual into full program participation status, and a relatively short amount of time (2 1/2 months) is spent in actual program participation. However, it is clear that the long time periods shown--expressed as averages--are the direct result of a small number of extreme outliers (in one case, 399 days supposedly elapsed between screening and final decision for program acceptance. These outliers are the result of a misinterpretation of the data, since they are generally cases which are screened initially (usually because they are referred by a judge) and then placed on a "hold" status--sometimes for as much as a year--because that individual has too much time remaining on his sentence. These cases should not have been included in the processing time analysis at all. At the least, processing time should be expressed as the median or the frequency distribution itself should have been presented.

The relatively short period of time (again, expressed as a mean) which the analysis shows most inmates spent in the program, is again, based on a misleading use of the data. Clearly, successful program completions should have been analysed separately from termination and early releases. Obviously, the grant refers to successful completions when it poses a 4 - 6 month average program stay.

Mike Geerken informs me that you and your staff were well aware of these problems but could not do the necessary reanalysis due to the time deadline for submission of the evaluations. I do ask, however, that these analyses be done and included in the final, published version of the Preliminary Impact Evaluation.

Recommendations

1. "It is recommended that greater emphasis be placed upon restitution payments made to victims of crime."

To the extent possible, this is presently being done. Elderly victims and staff assessed victim payments have been increased from \$1.00 per day to 10% of net income. As to the suggestion that more direct victims should be identified," we presently make payments to all direct victims--whether or not such payments are ordered by the court. It is difficult to see how more victims could be identified.

2. "Special attention should be provided to younger participants ordered by the Court to pay restitution to victims for crimes of burglary or robbery."

We have strengthened the performance of the counseling function by the program, and have instituted a careful matching procedure whereby counselors who have special training in dealing with young offenders, for example, or with drug and alcohol problems, are assigned to those offenders who need the most help.

3. "Accurate and complete records should be maintained for each participant in the program."

Record keeping procedures have been completely reorganized and tightened. This has been done particularly for educational and community service activities. Community service activities, for example, are now cross-referenced by inmate and by project, with the number of hours and type of activity recorded after each writing.

Educational personnel are now very careful to obtain CAT test scores at appropriate intervals. The problem of data loss due to the program termination and early releases, however, is inherent in the nature of the program and can never be completely eliminated.

4. "A restitution program for women should be established."

As you know, such a program is scheduled to begin in the Fall of 1979.

5. "Efforts should continue to secure a community-based facility for the program."

These efforts are presently continuing.

6. "The Diagnostic Unit should seek more referrals ordered by the Courts to pay restitution."

Page -4-  
Mr. Serpas  
June 13, 1979

It is difficult to see how much more can be done in this area. Members of the Diagnostic Unit visit each judge weekly. In addition, contacts have been made with each probation officer, each ODP attorney, each assistant D.A., and many private attorneys with an aim to having them recommend restitution to the judges. The cooperation of the judges has been good of late and has been gradually increasing, and we expect this trend to continue.

7. "Victims to whom restitution payments have been made should be followed up by Shelter personnel."

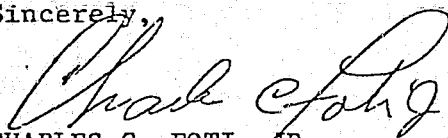
We felt that this is an evaluation rather than a program staff function, i.e. that such information would be primarily for research purposes. We feel it is more important for staff to spend their time delivering as much monetary and service restitution possible to the community rather than doing research on its impact on community attitudes.

8. "Explore the possibility of using an inmate's savings to pay for his fine for criminal neglect."

This is possible at present, under the condition that all other obligations---including restitution payments to the wife---be paid first.

I hope these comments have added to your staff's already comprehensive evaluation. Please thank them for their efforts.

Sincerely,



CHARLES C. FOTI, JR.  
Criminal Sheriff

CCFjr/jdc



**END**