




# *Restitution*

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# **RESTITUTION**

## **A Selected Bibliography**

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**United States Department of Justice  
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## INTRODUCTION

Sentencing alternatives have been the focus of considerable attention in recent years, particularly because of concern for the effect of traditional sanctions on juveniles and first-time offenders, rising incarceration costs, and the slow realization that incarceration does little to rehabilitate the offender. One alternative that is currently being implemented in criminal justice agencies throughout the country is restitution--a sanction that requires the offender to make a money or service payment to the victims of the crime or to substitute victims.

Restitution appeals to those who criticize our criminal justice system for its lack of concern for the victim. In many restitution programs the offender is required to compensate the victim for damage or loss suffered as a result of the criminal act. Proponents of these programs point to their dual benefits: offenders are made more responsible for their crimes and the long-forgotten victims receive some attention and benefits from the perpetrators of crimes against them. The reparations may be financial or services rendered, but in any case, the psychological effect on the victim cannot be understated--the victim feels that a wrong is being righted and the offender is paying for the crime.

When restitution involves community service, society as a whole receives reparations from the offender. Sentences to community service are flexible and are limited only by the judge's imagination, offender's willingness to participate, and cooperation of recipient agencies. Restitution can be imposed as an alternate sentence or as a supplemental sentence and all restitution programs place the responsibility on the offender to "make whole" the victim and "pay his debt to society."

This bibliography has been compiled from the data base of the National Criminal Justice Reference Service to highlight the growing literature on restitution. The entries are grouped in the following sections:

- Overview. General information and discussions about restitution.
- Restitution Theory. Rationales for restitution, both criminological and victimological.
- Restitution Programs. Program plans, annual reports, evaluations, and descriptions of existing programs.

A list of LEAA grant recipients responsible for setting up restitution programs and conducting research on restitution as an alternative sentence is presented in the Appendix. Information about how to obtain the documents cited in this bibliography is presented on the following page.

Restitution as a sentencing strategy for juvenile offenders is treated in a forthcoming NCJRS publication, Variations on Juvenile Probation. For a complete review of the literature on sentencing alternatives, see Alternatives to Institutionalization: A Definitive Bibliography (NCJ 58518), published and distributed by NCJRS.

## HOW TO OBTAIN THESE DOCUMENTS

All of the documents in this bibliography are included in the collection of the National Criminal Justice Reference Service. The NCJRS Reading Room (Suite 211, 1015 20th Street, NW., Washington, D.C.) is open to the public from 9 a.m. to 5 p.m. Many of the documents cited in this bibliography may be found in public and organizational libraries. All of the documents cited are also available in at least one of the following three ways:

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# OVERVIEW

1. **CAMPBELL, R. Justice Through Restitution: Making Criminals Pay.**  
Milford, Michigan, Mott Media, 1977. 148 p. (NCJ 44505)

The author proposes a victim-oriented system of justice through restitution based on a biblical viewpoint. Prisons are reexamined in terms of cost and effectiveness in reducing the crime rate. General observations are made concerning crime, prison problems, the staggering cost of imprisonment, the burden to the taxpayer, and the failure of the penal system to deal effectively with the criminal. The author calls for a return to the "basics" to insure justice for both victims and offenders, by instituting a system of offender restitution to the victim. Experiments in restitution and compensation are cited. This alternative to imprisonment would have the following advantages: the victim is helped rather than ignored; because restitution is directly related to the offense, the lawbreaker is reminded of his wrongdoing; the profit is removed from crime; and the public would be spared the costs of imprisonment. An appendix provides a nationwide survey of the daily cost of inmate care and custody. A bibliography is included.

2. **GALAWAY, B. and J. HUDSON, Offender Restitution in Theory and Action.**  
Lexington, Massachusetts, Heath Lexington Books, 1978. 219 p.  
(NCJ 49547)

The role of restitution within the emerging field of victimology and victim service programs and its place within behavioral change theories is discussed in these symposium papers. The papers in this volume are organized around common themes. The first set examines the role of restitution in relation to commonly perceived purposes of the justice system. There is no general agreement about the primary purpose of restitution, and different emphasis--both punitive and rehabilitative--is found in the papers. Questions about the relevance and use of restitution for the purposes of deterrence, rehabilitation, and punishment are addressed. Therapeutic uses of restitution also are discussed. The papers in the second section consider restitution from a psychological perspective. Equity theories are discussed in relation to the operational use of restitution, and program implications are drawn. Central concepts of equitable and inequitable relationships relative to the concept of harm-doing are discussed, along with some of the specific psychological consequences following from the notion of harmdoing and restoration of equity. The relevance of restitution as a method for reducing the psychological effects resulting from inequitable relationships is given special consideration. The third section of the volume concerns restitution and the crime victim. An overview of the field of victimology is presented which suggests that restitution has the potential for integrating

the victim into the operation of the criminal justice system. The issues of victim involvement in the arbitration and mediation process and the structuring of direct victim and offender contacts in sentencing and dispute settlement are addressed. Restitution research is dealt with in the next section; papers evaluating recent developments in restitution programing, attitudes toward the use of restitution, and a review and assessment of existing research are presented. A description of service and financial restitution is presented in two sections. Three service programs and three monetary programs in operation in different states are studied in detail. The final section considers theoretical and programmatic concerns in restitution, and suggestions for future programs are presented. A bibliography, index, and notes on the contributors are provided.

3. GALAWAY, B. Restitution as an Integrative Punishment. In Barnett, R.E. and J. Hagel, Eds., Restitution, Retribution, and the Legal Process. Cambridge, Massachusetts, Ballinger Publishing Company, 1977. 17 p. (NCJ 45973)

Various types of restitution programs and advantages of the use of restitution as a criminal justice sanction are discussed. Restitution refers to a sanction imposed by an authorized official of the criminal justice system that requires the offender to make a money or service payment either to the direct victims of crime or to substitute victims. The definition is broad enough to encompass a number of restitution types: (1) monetary payments by the offender to the direct or actual victims of the crime, either directly or through an intermediary (the most prevalent type of restitution); (2) monetary payments made by the offender to some community agency (this differs from a fine in that the recipient is some charitable organization); (3) personal service by the offender to the victim (this type is infrequently used); and (4) service to the community by the offender. In many communities, one of these types of restitution is required as a condition of probation. The idea of restitution has been found to appeal both to liberals, as it treats offenders more humanely, and to conservatives, as it requires offenders to pay for their crimes and at the same time helps the victim. Four major reasons for assigning restitution a definite role in the criminal justice sanctioning system are examined: (1) restitution should have a larger role in the criminal justice system because the practice provides an alternative punishment that can be used either in addition to or instead of the sanctions currently available; (2) The restitution sanction has the potential for reconciling victims and offenders; (3) restitution will provide a vehicle for the inclusion of the victim into the criminal justice process; and (4) restitution procedures can be integrated into the current

organizational structures without the need for additional programs or bureaucracies requiring substantial public expenditures. The author concludes that the continued, cautious development of restitution programming is one of the most hopeful and potentially constructive approaches to criminal justice reform.

4. GANDY, J. T. Attitudes Toward the Use of Restitution. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 11 p. (NCJ 49556)

Surveys of the attitudes of citizens and criminal justice system officials toward restitution are reported. The first survey involved a sample of 705 police officers, social work graduate students, members of a women's community service organization, and juvenile and adult probation and parole officers. The response rate was 60.5 percent. All respondent groups expressed support for the concept of creative restitution--the process of helping offenders make amends to their victims. The degree of support was lower for police than for other groups. With the exception of police, the respondents also supported the concept of rehabilitation. People who supported traditional concepts of punishment (other than rehabilitation) also supported the concept of restitution, but less strongly than people holding favorable attitudes toward rehabilitation. A second survey contacted 250 members of South Carolina's legal community (judges, solicitors, practicing attorneys). A 38 percent response rate was obtained. This survey also found strong support for restitution. Most (89 percent) of the respondents believed that restitution programs were of potential value in dealing with criminal offenders. Most respondents felt that offenses against property, auto theft, shoplifting, drunk driving, and income tax evasion were appropriate for restitution. The sample was undecided about burglary and felt that offenses against the person (rape, armed robbery) were inappropriate for restitution. Implications of the findings are discussed. Tabular data and notes are included.

5. \_\_\_\_\_ . Community Attitudes Toward Creative Restitution and Punishment. Doctoral Dissertation, University of Denver, Denver, Colorado, 1975. 335p. (NCJ 59454)

A survey of the attitudes of police, graduate students, community leaders, and probation and parole officers toward restitution and more traditional concepts of punishment is documented. The survey sample included 170 officers of the Lakewood, Colo., police department, 76 second-year social work graduate students at the University of Denver, 106 members of a women's commu-

ity service organization in Denver, 246 Colorado probation officers (adult and juvenile), 15 Colorado parole officers (juvenile), and 92 Minnesota parole officers (adult). Responses were received from 427 of the 705 persons contacted. The major finding of the survey was strong support for and acceptance of restitution. Support for restitution was somewhat less pronounced among police. With the exception of police, the survey sample also supported the rehabilitation concept. People who supported other traditional concepts of punishment (retribution, deterrence, social defense, imprisonment) responded positively to restitution, but less positively than did people who supported rehabilitation. Higher levels of education were associated with support for rehabilitation and nonsupport for other traditional concepts of punishment. The findings suggest that restitution programs would arouse less resistance than might have been expected, both within the criminal justice system and among the public. At the theoretical level, the findings imply a relationship between restitution and rehabilitation. The strong support for restitution and rehabilitation found in the survey stands in marked contrast to policy trends in corrections. Implications of the findings and directions for research are discussed. A literature review, a bibliography, supporting data and documentation, and copies of survey instruments are provided.

6. HARLAND, A. T. Compensating the Victims of Crime. Criminal Law Bulletin, v. 14, n. 3: 203-224. May-June 1978. (NCJ 47061)

Victim compensation and restitution programs are discussed, and the relative adequacy of such programs is analyzed on the basis of data from the national crime survey (NCS). The concept of crime victim restitution by offenders can be traced to 1910 probation statutes. Compensation schemes, usually operated through autonomous boards within the individual states, date primarily from the early 1960's. Until the 1970's, restitution schemes had been applied largely in an unsystematic manner at the discretion of individual decisionmakers in the criminal justice process. About half of the states have implemented legislation for some form of victim compensation; the programs usually are portrayed as sincere and rational social plans designed to meet the needs of the crime victim. In reality, however, this does not appear to be the case. Most programs are not grounded on rational principles; most programs are encumbered by extensive restrictions on their ability to actually meet the needs of victims. Compensation programs typically exclude victims of nonviolent crimes, thus excluding about 90 percent of all crime victims who, despite the nonviolent nature of the crime, often suffer great hardship and emotional damage and are unlikely to receive restitution from other sources. Further restrictions on benefits for violent crime victims,

such as the exclusion of mental injury and minimum financial loss standards, successfully exclude all but a small percentage of victims from compensation. The basic premise of restitution schemes is that the punishment should fit the crime. The major difficulty with this approach is that it depends on the offender's capture and ability to make restitution. As in public compensation schemes, restitution is limited as to the number of victims it can reach because few offenders are caught and because the criminal justice system operates in such a way as to virtually assure that offenders will not make restitution. Victim restitution assumes a low priority in the hierarchy of traditional system goals of punishment, deterrence, rehabilitation, and incapacitation. Consequently, restitution has generally been limited to victims of less serious offenses and property crimes--offenses with the lowest police clearance rates. In the past 4 or 5 years, however, innovative restitution programs have been developed which indicate that it can be used more effectively, particularly in offenses where the loss is not excessive. The need for more adequate victim restitution, compensation, and assistance programs is suggested, and the role of the victim advocate is discussed briefly.

7. HARLAND, A. T. Restitution by the Criminal: A Better Way of "Paying" for Crime? Vital Issues, v. 27, n. 2, 1977. 4 p. (NCJ 59179)

An overview is presented of the concept of restitution, its use and history in the U.S., and salient issues regarding its adoption (benefits to the offender and victim, liability determination, etc.). Whether restitution is symbolic or direct, service or financial, it is provided by the offender and enforced through the criminal justice system as part of more traditional dispositions. Restitution overlaps with two other criminal justice innovations, victim compensation and community service. Although the concept of restitution is mentioned in ancient criminal laws, and the use of restitution has been recommended by criminologists, restitution has, in fact, been applied in an unsystematic manner as a parole condition. Renewed interest in this sanction occurred in the early 1970's. Among the new developments are programs to provide State-funded compensation to victims of violent crimes, and victim-assistance projects that render aid through a more service-oriented approach including counseling, referral, and legal and medical advice. In 1972, the first restitution program began operation at the Minnesota Restitution Center, and as more programs began to develop, LEAA awarded \$2 million in grants to the States of Colorado, Connecticut, Georgia, Maine, Massachusetts, and Oregon to examine the concept of restitution. The Criminal Justice Research Center in Albany, N.Y., also received funds to evaluate the seven projects. A number of unresolved issues concerning restitution remain. For instance, the arrest rate for property crimes, those most suitable

for a restitution remedy, is low; some victims receive insurance benefits for damages resulting from a crime and restitution would duplicate these benefits; in cases of multiple victims, payment priority might be a problem; the amount to be paid in restitution would have to be assessed by taking account of the original cost of an item and the depreciation on the item. References are provided.

8. HUDSON, J. and B. GALAWAY, Eds. Considering the Victim: Readings in Restitution and Victim Compensation. Springfield, Illinois, Charles C. Thomas, 1975. 490 p. (NCJ 27690)

This textbook presents 28 articles dealing with the historical development and current status of victim compensation and restitution, and the major issues in crime victimology. This volume is intended to be of use in law schools, departments of sociology, and criminal justice education. The text is divided into six sections dealing with the historical background of restitution and victim compensation, philosophical foundations for the programs, legal perspectives on the victim, psychological and sociological perspectives, and practical applications of restitution and victim compensation programs. Each section is prefaced by a brief introduction. These articles examine, among other things, whether the crime victim is ignored in the administration of criminal justice, whether the law gives due recognition to the crime victim, and whether the state is responsible for damages sustained in criminal victimization.

9. \_\_\_\_\_ . Restitution in Criminal Justice: A Critical Assessment of Sanctions. Lexington, Massachusetts, D.C. Heath and Company, 1977. 187 p. (NCJ 41838)

This book is a collection of articles, first presented at the First International Symposium on Restitution held in Minneapolis, Minnesota, in November 1975, on the use of offender reparations in the criminal justice system. The concept of restitution is attracting renewed interest because of its potential utility at different levels in criminal justice. The papers in this volume trace the historical development of the concept, identify different cultural uses of restitution, and explore and assess some of the complex issues involved in operationalizing restitution programming. Other sections of the book discuss recent legislative, policy, and program developments relevant to the idea of holding offenders accountable for making reparations to their victims. A survey of 19 operational restitution programs is appended.

10. HUDSON, J., B. GALAWAY, and S. CHESNEY. When Criminals Repay Their Victims: A Survey of Restitution Programs. Judicature, v. 60, n. 7:313-321. February 1977. (NCJ 39585)

This article identifies and discusses several major questions on using restitution that were gleaned from a survey of 19 restitution programs in the United States and Canada. The nature of the restitution sanction and the amount of restitution that should be ordered are discussed. Other topics addressed are the role of the victim in a restitution scheme, the relationship of restitution to other criminal justice sanctions, and restitution as a condition of probation. The theme of the article is the authors' belief that further study should be made of the most appropriate method of instituting restitution, the classes of offenders from who to require it, and its effects on victims and offenders, in order to make this mechanism a more viable part of the criminal justice system.

11. MACNAMARA, D. E. and J. J. SULLIVAN. Making the Crime Victim Whole: Composition, Restitution, Compensation. In Thornberry, T.P. and E. Sagarin, Eds., Images of Crime: Offenders and Victims. New York, Praeger Publishers, 1974. 12 p. (NCJ 30606)

A historical review of the three traditional means of victim compensation--composition, offender restitution, and State compensation--with a summary of victim compensation laws enacted in the several countries. The author notes several problems with offender restitution, including offender inability to pay, the low apprehension rate of offenders, the low prison earnings of offenders, and the high costs of administering such programs in comparison to the amount of income actually collected from offenders. The victim compensation laws of New Zealand, England, New York, California, Hawaii, Massachusetts, Maryland, Nevada, and New Jersey are studied. Similar provisions of these laws are listed, and the major problems encountered in the administration and implementation of victim compensation statutes are summarized. Several case histories illustrating the difficulties in administering victim compensation legislation are provided.

12. SCHAFER, S. Compensation and Restitution to Victims of Crime: 2d Ed. Montclair, New Jersey, Patterson Smith, 1972. 229 p. (NCJ 10822)

A worldwide survey of 29 countries presents reports on legislative, academic, and judicial efforts in the area of victim compensation between 1958 and 1970. The two preliminary inquiries are whether the victim has any legal right at all to restitution or damages from the offender and, if so, to what offenses that right applies. Each legal system is then examined to determine what type of court would have jurisdiction to entertain such claims and to establish the essential points of that court's



procedure. The inquiry considers whether the concept of restitution or damages has been involved with the penal element in any legal system. In addition the financial status of prisoners in different countries is discussed on the hypothesis that recourse eventually may be had from the earnings of offenders in prison. Included are some general impressions as to how restitution works in practice and whether any trend to improve or to modify the present provisions can be seen in any legal system. The three countries whose systems are most emphasized are New Zealand, the United Kingdom, and the United States.

13. \_\_\_\_\_ . Compensation of Victims of Criminal Offenses. Criminal Law Bulletin, v. 10, n. 7:605-636. September 1974. (NCJ 16518)

The use of victim compensation, restitution, and composition is traced through history; five different systems of restitution or compensation are identified and compared. State participation in victim restitution as part of offender punishment also is discussed in detail. Covered are the idea of civil versus criminal wrongs and the trend toward emphasizing offender punishment over victim restitution. Some of the most widely employed arguments for State compensation of victims of crime are presented. The difference between victim compensation (a State responsibility) and victim restitution (a responsibility of the offender) is noted. The author maintains that the American trend is toward victim compensation considered in a civil proceeding. The idea of offender liability, in the form of correctional restitution, is also explored. Discussed is the idea of making restitution or compensation part of the offender's punishment and/or sentence. Such a system would both punish the offender and make provisions for compensating victims of crime for loss, personal injury, and any other disadvantage. The operation of a system in which the offender would have to make restitution through personal work after incarceration also is outlined.

14. SCHNEIDER, P. R., et al. Restitution Requirements for Juvenile Offenders: A Survey of Practices in American Juvenile Courts. Juvenile Justice, v. 28, n. 4:43-56. November 1977 (NCJ 44628)

A national survey of the restitution requirement practices of 197 juvenile courts (133 responses) is documented. The survey sought information on the scope and history of restitution in juvenile courts. The types of restitution orders imposed, whether restitution increases or decreases contact between the offender and the juvenile justice system, the goals of restitution programs, and attitudes and expectations with regard to restitution. The use of restitution was reported by 86 percent of the respondents. The average restitution program has been

in existence for almost 17 years. There is considerable support for restitution among judges and other juvenile court officials even in courts that do not have restitution programs. The most common reason for not using restitution is lack of legal authority. Court personnel, particularly those whose programs use several types of restitution, find restitution an effective means of reducing recidivism and improving the attitudes of victims toward the criminal justice system. The problem of enforcing restitution orders appears to have been overemphasized in earlier studies: the majority of courts surveyed reported good compliance with restitution offenders. Estimated extent of compliance does not differ with socioeconomic characteristics of jurisdictions or with the proportion of cases in which restitution is required. The greatest compliance risk appears to be associated with requiring a juvenile to obtain and hold a job in order to make monetary restitution. Supporting tabular data are included.

15. SOFTLEY, P. Compensation Orders in Magistrates Courts. Old Mystic, Connecticut, Pendragon House, 1978. 46p. (NCJ 54442)

Results are reported from a 1974 study in England that examines the scope and nature of Magistrates' courts ordering of compensation to be paid by offenders to victims. In 1974 the Home Office Research Unit, in study number 43 in cooperation with chief constables and justices' clerks, undertook a national study of Magistrates' courts use of compensation orders. The sample consisted of defendants, aged 17 or over, summarily convicted during the week beginning September 29, 1974, of burglary, theft, fraud, criminal damage, wounding, and assault resulting in actual bodily harm. Excluding property offenses which did not result in loss or damage, it was found that 90 percent of defendants convicted of criminal damage were ordered to pay compensation, compared with 60 percent of defendants convicted of offenses of dishonesty (burglary, theft, and fraud) and 9 percent of defendants convicted of wounding or assault. It is observed that magistrates were reluctant to order compensation for loss or damage when they imposed a sentence of immediate imprisonment or detention, and they were less likely to order compensation when the offender was unemployed. The ordering of compensation was related to the value of the loss or damage, although the imposition of a fairly large fine (over 20 pounds) reduced the probability of compensation being ordered. It also is believed that the importance attached to the principle of reparation in the mind of each magistrate contributed to variations in compensation orders. Some controversy in legal circles over the yoking of victim compensation to criminal proceedings is noted. Results showed that offenders given compensation orders were not generally required to pay substantial amounts; over 60 percent of those given an order were required to pay no more than

25 pounds, and 90 percent were required to pay less than 100 pounds. The study shows that the scope for increasing the use of compensation orders is greatest in relation to cases of wounding or assault. The use of a tariff of approximate amounts for various injuries is reported for a number of courts, and the suggestion is made that if these guidelines prove helpful, increasing use of this kind of compensation should be made. Samples of forms used in the study are included in the appendix, and tabular data are reported in the body of the report. References are listed.

16. TARLING, R. and P. SOFTLEY. Compensation Orders in the Crown Court. Criminal Law Review, :422-428. July 1976. (NCJ 36175)

A study is described of whether Great Britain's Criminal Justice Act of 1972 resulted in more compensation property loss cases. This act simplified the procedure for awarding victim property compensation. Compensation outcomes were examined for property crime cases before and after the new law went into effect. While compensation previously had been awarded in only 14 percent of cases for which it could have been awarded, the figure rose to 26 percent after the new law went into effect.

17. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. Restitution in Criminal Justice. J. Hudson, Ed. Washington. 274 p. MICROFICHE (NCJ 32692)

Presented is a collection of 13 articles dealing with the implementation and assessment of offender restitution to crime victims. This volume is divided into five major sections. The first consists of three articles designed to provide a contemporary view of the place of the victim within the criminal justice system and to acquaint the reader with the historical and cross-cultural context of restitution to crime victims. The second section consists of two articles dealing with research, operational, and legal issues pertinent to the use of restitution within the administration of criminal law. Part three deals with the use and assessment of restitution as a condition of probation. Part four presents three papers dealing with the use of restitution within the context of residential community correctional programs as well as the way in which a restitution program could be implemented within a prison setting. A concluding paper summarizes some of the major issues and perspectives raised in many of the earlier papers. Eleven of these papers were first presented in summary form at the International Symposium on Restitution held in Minneapolis, Minnesota, on November 10 and 11, 1974. A three-page list of selected references is appended.

18. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. National Assessment of Adult Restitution Programs: Preliminary Report 2-A Review of Restitution Research. Hudson. J. and B. Galaway, Proj. Dirs., Washington, 1979. 141p.

MICROFICHE (NCJ 59353)

This comprehensive review of evaluative and descriptive research on restitution includes a state-of-the-art assessment and abstracts of the 29 studies reviewed. Included in the review are 22 studies aimed at evaluating restitution projects and programs and 7 involving surveys of citizens' and criminal justice professionals' perceptions of restitution as a sanction. The studies were performed in the United States, Great Britain, Canada, and New Zealand, most in 1977 and 1978. The major objectives and findings of each study are summarized. Critical comments are presented on the status of evaluation research on restitution—research purposes, project and program specification, data collection methods, measures, research design, findings, and implications. The limited extent to which generalizations can be drawn from evaluative research on restitution is emphasized. Questions are raised regarding the apparent inability of restitution programs to divert offenders from imprisonment, and the effect of such programs in expanding the degree of social control exercised over offenders. That restitution programs can handle large numbers of property offenders at low cost and with few in-project failures also is noted. A less extensive state-of-the-art critique of descriptive studies notes that opinion surveys have shown broad-based support for restitution as a sanction. Appended to the review are abstracts covering in considerable detail the objectives, design, dependent variables and measures, data collection and analysis procedures, findings and shortcomings of each study.

19. \_\_\_\_\_ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Restitutive Justice: A General Survey and Analysis. By Schram, D.D., P.M. Lines, and M. Walsh. Washington, 1975. 96 p.

MICROFICHE (NCJ 26464)

This report explores and highlights major issues, problems, and prospects relating to the concept of restitution and its operational implementation. It broadly examines restitutive justice from four perspectives: historical, theoretical, legal, and operational. This last area of examination is based on the results of a survey of State Planning Agencies for information on operational or proposed programs. Highlighted are programs in East Palo Alto, Calif., South Dakota, Tucson, Ariz., Philadelphia, Pa., Georgia, Minnesota, and South Carolina. Specific problems with the restitution concept are analyzed to set forth

the dilemma presented and to indicate its potential impact on proposed or operational restitution programs. They include the selection of crimes appropriate for restitution, sentencing implications, interaction between victims and offenders, and the relationship of restitution and victim compensation. A research model for future study and for the design of controlled action programs also is recommended.

20. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. Office of of Juvenile Justice and Delinquency Prevention. Juvenile Restitution - Appendix 1 In Restitution by Juvenile Offenders: An Alternative to Incarceration. Program Announcement, 1978. Washington. 19p. MICROFICHE (NCJ 60251)

The nature and history of restitution, a concept of current interest due to renewed attention to victims and to the importance of linking offense and sanction, are discussed regarding its use with juveniles. Restitution is a positive sanction, and a particularly appropriate one to use with juvenile offenders. It is an old device, probably originating from the penal laws of the Middle Ages, and can be defined as payments by an offender in cash or service to the victim or the general community. Restitution is distinguishable from victim compensation in that it is penal in nature, rather than merely being an attempt to offset victims' losses. There are several juvenile justice stages in which restitution might occur: the preadministrative stage, such as when payments by parents of a shoplifter are made to a business to avoid prosecution; the administrative stage, resulting from informal decisions made by officials (the police or intake officers); the adjudication stage; and the postadjudication stage. The rationale for restitution programs is that the offenders will recognize their responsibility to the victim; that restitution protects the essential dignity of the offender; that restitution allows the victim some redress and enhances the public's sense of justice; and that it increases the effectiveness of the juvenile justice process by keeping young offenders out of the potentially harmful prison environment (saving correctional expense). However, in addition to the collection of ambiguous evaluation results on the success of restitution programs, the use of this sanction is being complicated by programmatic issues and problems. For example, no precise role for the victim has been defined in many programs, few guidelines and procedures exist for structuring restitution, few ways have been identified to inform the public that restitution is being used (thus reducing one of the benefits of restitution, enhancement of the public view of justice), and enforcement is difficult. References are provided.

21. \_\_\_\_\_ . Law Enforcement Assistance Administration. Office of Juvenile Justice and Delinquency Prevention. Legal Issues in the Operation of Restitution Programs - Appendix 2 In Restitution by Juvenile Offenders: An Alternative to Incarceration. Program Announcement, 1978. Washington, 13 p.  
MICROFICHE (NCJ 60252)

Legal issues in the design and implementation of restitution programs, the amount and scope of restitution decided upon, the due process rights of the juvenile offender, and the method of enforcement are discussed. Logical and constitutional problems are posed by different methods of ordering restitution, and numerous legal issues arise when restitution programs are operated. To be safe from legal attack, restitution programs should require a finding by a neutral and detached judicial officer that the youth has committed the alleged acts before the youth is eligible for a court-sponsored restitution. In addition, the court should be the agency to make the final order as to the amount, type, and method of meeting the restitution requirement. Because a restitution order affects an offender's right to property in the monies he will be required to pay the victim and his freedom from "probationary" conditions, the order should be the result of a decision balancing the interest of the State with the protection of the offender's rights. In setting the restitution amount, the court should consider the nature of the loss caused by the offender, any prior offenses, and whether or not the offender was acting with malice at the time of the offense. They should also take into account the offender's ability to pay. Because States do not have uniform scope guidelines for restitution, it is suggested that States with no laws require payment only for losses directly resulting from the crime and that injured victims be required to recover their losses in civil rather than criminal proceedings. To avoid problems associated with noncompliance, courts should make accommodations to offenders lacking ability to pay, but should and constitutionally can incarcerate those offenders with ability to pay who fail to do so. References are provided.

22. VARNE, S. Saturday Work: A Real Alternative. Australian and New Zealand Journal of Criminology, v.9, n.2:95-108. June 1976.  
(NCJ 41886)

The Saturday work order scheme was introduced in Tasmania in 1972 as an alternative to custodial treatment to be offered to an offender only if the sentence otherwise would have been imprisonment. In the verdict, the offender is given the choice between a prison sentence of unknown length and a Saturday work order which cannot exceed 25 Saturdays on any one charge. The author contests the claim that the work order scheme has been effective in reducing the prison population. On the basis of

an analysis of the statistical data available, she concludes that the work order in many cases has been given to offenders who would not, prior to the legislation, have received a prison sentence, and, therefore, appears to replace fines and good behavior bonds. It is recommended that either the act be changed to allow judges to offer work orders as an alternative to a bond, probation, or a fine (as well as imprisonment) thereby enabling the offender to make a real choice or an effort be made to insure that the spirit of the law is adhered to.

23. **WHITE, A. G. Restitution as Criminal Sentence: A Selected Bibliography. Monticello, Illinois, Council of Planning Librarians, 1977. 9 p. (NCJ 44971)**

This unannotated bibliography provides a basis for study of the emerging concept of restitution as a criminal sentence. Overcrowding in jails, prisons, and other confinement facilities has forced the creation of new techniques to control convicted persons while attempting to rehabilitate them. Among these techniques, coupled with probation, is the concept of restitution. Financial restitution involves payment by the criminal for property losses, medical bills, etc., to the victim of the crime. Symbolic restitution involves performing a public service to "work off" the "debt" to the victim or to society. Two obvious drawbacks are that criminals may be convinced that they may be able to buy their way out of a sentence, and that rehabilitative effects of requiring payment by an individual with money are unknown. Research on this subject is being conducted, and the volume of literature in this area is expected to grow. The entries in this bibliography are listed by author. Materials listed include journal articles, committee reports, court cases, and books, most dated 1940 to 1976.

## **RESTITUTION THEORY**



24. BARNETT, R. E. Restitution: A New Paradigm of Criminal Justice. In Barnett, R.E. and J. Hagel, Eds., Assessing the Criminal: Restitution, Retribution, and the Legal Process. Cambridge, Massachusetts, Ballinger Publishing Company, 1977. 35 p. (NCJ 46974)

The current "crisis" in the paradigm of punishment is examined, and a proposal for its replacement by a paradigm of restitution is presented. The old paradigm of criminal justice--that of punishment--is in a crisis period, not only because of the uncertainty of its moral status, but because of its practical drawbacks. The infliction of suffering on a criminal tends to cause a general feeling of sympathy for him. Because the prison term is supposed to be unpleasant, at least a part of the public comes to see the criminal as a victim, and the lack of rationality between a term of imprisonment and the harm caused the victim also causes the offender to feel victimized. The long, ponderous criminal justice process is also a product of the punishment paradigm, largely due to a fear of any unjust infliction of punishment. As the punitive aspect of a sanction is diminished, so too would be the perceived need for procedural protections. Furthermore, a system of punishment offers no incentive for the victim to involve himself in the criminal justice process. A new paradigm--one of restitution--would call for a complete refocusing of the image of crime. What is now seen as an offense against society must be seen as an offense against an individual victim. There are two types of restitution proposals: a system of "punitive" restitution and a "pure" restitutional system. Punitive restitution would simply add restitution to the paradigm of punishment. The restitution would come from the offender's own work, either in prison or out, or, if a fine is used, it would be proportional to the earning power of the criminal, in order to be equally unpleasant for a poor offender or a rich one. The amount of restitution thus would be determined not by actual harm done but by ability of the offender to pay. Pure restitution is concerned with compensation for actual damages. Offenders would first be tried to determine guilt or innocence. If found guilty and able to make restitution immediately, they would do so. If they could not, they would either be allowed to work and use part of their wages to compensate the victim, or would be confined to an employment project, where part of their earnings would again be set aside for restitution. Experimentation is being conducted with variations on this basic system, and refinements will be made. Some advantages of restitution are that it (1) provides assistance to the victims of crime; (2) encourages victims to report crimes and to appear at trial; (3) aids in the rehabilitation of criminals; (4) provides a "self-determinative" sentence (i.e., the length of confinement is in the offender's own hands--the harder he works, the faster he makes restitution); (5) saves taxpayers a great deal in court costs and the maintenance of inmates; and (6) discourages much white-collar crime by

eliminating lenient treatment of corporate officials and requiring repayment of funds embezzled. Practical, theoretical, and distributionary (i.e., that rich people will be able to commit crimes with impunity if they can afford it) criticisms of restitution also are discussed.

25. COMMUNITY PARTICIPATION IN SENTENCING. Law Reform Commission of Canada. Ottawa, Printing and Publishing Supply, 1976. 257 p. (NCJ 42268)

This volume includes four research papers and two working papers dealing with such community involvement issues as victim compensation, probation, community service orders, and fines. The sentencing options available in the courts now have expanded to include a number of alternatives which call for some participation of the community in the offender's rehabilitation. This book, produced by the Law Reform Commission of Canada, contains a number of papers which examine the various options available and the current and proposed uses of each these options.

26. DEMING, R.R. Correctional Restitution: A Strategy for Correctional Conflict Management. Federal Probation, v. 40, n. 3:27-32. September 1976. (NCJ 39202)

Correctional conflict management theory subsumes the inevitability of conflict; the restoration of the relationship between offender and victim through restitution restores harmony in the social system. In addition to attempting to raise the offender's sense of functional responsibility, restitution and reparation compensate the victim, relieve the State of some burden of responsibility, and permit the offender to pay his or her debt to society and to the victim.

27. GALAWAY, B. Use of Restitution. Crime and Delinquency, v. 23, n. 1:57-67. January 1977. (NCJ 38873)

This paper reviews contemporary examples of the use of restitution in the criminal justice system, and explores a number of issues which emanate from the use of restitution. Restitution is defined to mean a requirement, either imposed by agents of the criminal justice system or undertaken voluntarily by the wrongdoer but with the consent of the criminal justice system, by which the offender makes reparation for the harm resulting from the offense. The author first examines applications of restitution

in pretrial diversion programs, as a condition of probation, and as a part of the program of community correction centers. A number of restitution issues are then discussed, including those relating to the lack of specificity of the concept of restitution, the purpose of restitution, the relation of restitution to other criminal justice sanctions, and the role of the victim in restitution programs.

28. GALAWAY, B. and J. HUDSON. Restitution and Rehabilitation: Some Central Issues. Crime and Delinquency, v.18, n.4:403-410. October 1972. (NCJ 07697)

Restitution in the form of payment by the offender to the victim of the crime is considered in its rehabilitative effect on the offender. The article considers whether the aim should be complete or partial, symbolic restitution, whether restitution is more effective when it is voluntary or when it is required, whether there should be offender-victim interaction within a restitution scheme, and whether the offender should be responsible for making restitution in victim-precipitated crime.

29. GALAWAY, B. and W. MARSELLA. Exploratory Study of the Perceived Fairness of Restitution as a Sanction for Juvenile Offenders. Boston, Massachusetts, 2d International Symposium on Victimology, September 1976. MICROFICHE (NCJ 59306)

Results are presented of an exploratory study conducted in one geographic area to assess the perceived fairness of restitution as a punishment for juvenile offenders. Juvenile court dispositions were reviewed for a 4-week period to determine those dispositions in which restitution was ordered as a probation condition for juveniles adjudicated in South St. Louis County, Duluth, Minnesota. Interviews then were conducted with 12 teenagers having obtained restitution orders, 11 victims who were unaware of the restitution orders, 11 parents, 16 probation officers, and 11 police officers to determine the extent to which these parties perceived restitution as fair sanctions in specific victimizations. Seventeen dispositions involved a restitution requirement and seven did not. Restitution tended to be used with older offenders who were appearing in court for the first time and whose cases were continued under informal supervision. Generally, restitution was perceived by respondents as fair for the youth; more of the victims, probation officers, and police officers held this view than did youths or parents. Parents and youth were quite optimistic that the offenders would fulfill the restitution obligation but victims were not optimistic. Victims tended to support restitution but offenders preferred restitution only in conjunction with probation, and preferred

probation to restitution as a single sanction. Furthermore, the findings show that there is very little communication between court officials and restitution victims. Because this was an exploratory study in a single jurisdiction with a small sample, results cannot be generalized. Further research is suggested. Study data and references are appended.

30. GOLDSMITH, N. Reparation by the Offender to the Victim as a Method of Rehabilitation for Both. In Drapkin, I. and E. Viano, Eds., Victimology: A New Focus, V.2--Society's Reaction to Victimization. Lexington, Massachusetts, Heath Lexington Books, 1974. 13 p. (NCJ 30595)

This paper discusses how the current methods of victim reparation--civil claims, crime insurance, and State compensation--are inadequate, and suggests that reparation by the offender may provide adequate remedies. It is further proposed that such reparation might have considerable beneficial effects for the offender is his own rehabilitation process, and that such reparation could be considered an alternative to prison sentences or an accompaniment to parole rather than as an addition to a term of imprisonment to be served simultaneously with the payment of reparation.

31. KAUFMAN, W. Retribution and the Ethics of Punishment. In Barnett, R.E. and J. Hagel, Eds., Assessing the Criminal: Restitution, Retribution, and the Legal Process. Cambridge, Massachusetts, Ballinger Publishing, 1977. 20 p. (NCJ 46967)

This article discusses the concept of punishment from a historical perspective and argues against the view that only retribution makes punishment moral. Ten functions of punishment are distinguished: (1) Deterrence by engendering fear of punishment; (2) deterrence by inculcating a moral sense of the gravity of a crime; (3) deterrence by informing people of what is forbidden; (4) minimizing of the damage of a crime by preventing private vengeance, and by (5) assuring that the breaking of a law does not become an invitation to others to emulate the lawbreaker, and by (6) providing a safety valve for the unlawful desires of people excited by the commission of a crime; (7) reformation of the offender; (8) restitution for the victim; (9) expiation of a moral wrong; and (10) retribution. The notion of retribution is open to several criticisms: the notion of desert is questionable; retribution is past-oriented, but it cannot undo any damage that has been done; and the intuitive certainty that an offender must be punished can be explained psychologically. An evaluation of the history of the study of ethics shows the

fallacies of absolutist thinking. When applied to the ethics of punishment, two criticisms emerge. The first is that those who defend retribution as the ethical function of punishment are generally absolutists who consider it intuitively obvious that certain crimes call for certain punishments and ignore history, which shows that many other thinkers have been equally certain that particular crimes deserved very different punishments. The second is that not all absolutists have been retributivists, and in fact, retribution occupies a minor place in the history of ethics. The history of the concept of retribution is traced from the Code of Hammurabi through liberal protestantism. Important points in objection to retributive theory are discussed: (1) the decline of faith in retribution can be attributed largely to the eclipse of Christianity, the spread of humanitarianism, and the emergence of depth psychology (the belief that criminals are not profoundly different from others); (2) punishments can never be deserved, that is, a punishment can never be wholly proportionate; (3) even if a punishment could be proportionate, it would not necessarily follow that it ought to be imposed; and (4) punishment has many other functions, and thus should not be dispensed with entirely. The author concludes with a recommendation for the exploration of alternatives to our present penal system.

32. KEVE, P.W. Therapeutic Uses of Restitution. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Practice. Lexington, Massachusetts, Heath Lexington Books, 1978. 6 p. (NCJ 49550)

Suggestions as to how rehabilitative effects for offenders can be achieved through restitution programs are offered. The discussion encompasses not only programs that permit victims to receive monetary restoration of their losses directly from offenders, but also symbolic restitution; i.e., programs that serve groups (perhaps whole communities) other than specific victims. It is pointed out that both affluent and indigent offenders are appropriate subjects for restitution penalties that involve them emotionally in the giving of time and effort to some restorative assistance either to the victim or to the larger community. To be effective as a treatment, restitution should involve payments that represent an extra effort on the part of the offender, a sacrifice of time, or convenience. The assigned restitution effort should be clearly defined, measurable, and achievable (but not easy). The restitution assignment should be meaningful, not busy work or a token gesture. Restitution assignments should be designed to produce rewards for offenders who complete them successfully. Examples of effective approaches to restitution are cited, as are indirect benefits (e.g., education for juvenile offenders) of restitution programs.

33. McANANY, P.D. Restitution as Idea and Practice: The Retributive Process. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 17 p. (NCJ 49548)

The question of whether restitution as a practice can be reconciled with the theory of retributive punishment is examined. A historical analysis of sentencing practices suggests a trend toward an acceptance of retribution as justification for criminal sentencing and correction. The decline of the victim's importance in the criminal justice system is traced in English history from the decline of feudalism when private dispute settlement gave way to the public criminal process to later American criminal justice, when offenders were regarded as victims of the social system. In the late 1970's crime victims have regained some importance in the judicial process. Theories of retribution as revenge are discussed. Common themes that emerge from the theories of retributive punishment--justice, morality, equality, responsibility, a backward-looking quality, offense-based (as opposed to offender-based) punishment--are noted. Conceptual and practical problems that make retribution and restitution less compatible than is immediately apparent are pointed out. Among the practical problems are economic inequality among offenders, the potential effects of replacing punishment with repayment of individuals, and differing emphases on victims and offenders in retributive and restitutive systems. Notes are included.

34. McDONALD, W.F. Expanding the Victim's Role in the Disposition Decision: Reform in Search of Rationale. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 9 p. (NCJ 49554)

Implications of the reassessment of penal philosophies for the victim's role in disposition decisionmaking (plea negotiations and sentencing) are considered. The shift away from the rehabilitative ideal holds differing implications for restitution programs and for reforms relating to the victim's role in disposition decisionmaking. Restitution programs tied to the rehabilitative idea could continue, under a different rationale, were rehabilitation replaced by deterrence or retribution as a correctional goal. Implications for the victim's role in disposition decisionmaking are less clear. None of the major penal theories provides any support for giving the victim control or veto power over sentencing, although a personal revenge theory of punishment would support the allocation of such powers to victims. In practice, however, victims often are given considerable control or influence over sentencing and plea-bargaining decisions, on an informal basis. It is noted that the victim has a controlling interest in a civil suit. The West German model governing prosecutorial discretion may have applications in reconciling

theoretical pronouncements about the separation of civil and criminal law with actual practices. A less drastic proposal than victim control over disposition--that victims be given the opportunity to provide input into the disposition decision--generally has received negative response from lawyers and judges, many of whom express concern about the effects of the victim's involvement on the impartiality of the judge. Victim input into the decisionmaking process can be justified on grounds of the potential benefit to the victim and to the public, the victim's contributions to the quality of information available to the judge, and the victim's role as a check on the integrity of the plea-bargaining process.

35. NEWTON, A. Alternatives to Imprisonment: Day Fines, Community Service Orders, and Restitution. Crime and Delinquency Literature, v. 8, n. 1:109-125. March 1976. (NCJ 40883)

This paper defines and analyzes various alternatives to imprisonment and presents information on their utilization, effectiveness, and administration. Examples of such punishments as fines, community service orders, and restitution are drawn from the United States, Sweden, West Germany, and Great Britain. Methods of applying these punishments are noted, and the author concludes that such noncustodial sanctions are needed for the great majority of offenders--the nondangerous.

36. PEASE, K., et al. Community Service Orders: A Home Office Research Report. London, England, Her Majesty's Stationery Office, 1975. 88 p. (NCJ 18762)

Community service orders represent a sentencing alternative for a select group of offenders that allows them to perform work that is useful to the community and to themselves. The community service scheme implements, throughout England and Wales, the idea that people who have committed minor offenses would be better occupied doing service to their fellow citizens than sitting in a crowded jail. A community service order can be made for an offender convicted of an offense punishable with imprisonment provided he is 17 years or older and he consents. A court cannot make an order unless arrangements for community service have been made in the petty sessions area where the offender will reside; the court is satisfied that he is a suitable person to perform work under such an order; and the court also is satisfied that provision can be made for him to do so. This report describes the efforts of the probation and after-care service in the six experimental jurisdictions to fairly test

this novel form of penal treatment. The use made of it by the courts, the offenders they chose to apply it to, the help given by local voluntary and official agencies in making appropriate tasks available, the reactions of some of the offenders, and some of the difficulties encountered, are all examined. The community service experience shows that the scheme is viable and orders are being made and completed, sometimes, evidently, to the benefit of the offenders concerned. The effect on the offenders as a group is as yet unknown; the penal theory underlining the scheme is thought by some to be uncertain; it has not as yet made much impact on the prison population because of the manner of its use by the courts; in practice a few supervisors may be able to subvert some orders of the court unless good contact at the work-site is maintained by the probation and after-care service; and neither the type of offender for whom it is suitable nor the most desirable work placements for different individuals on community service, are as yet known.

37. **RESTITUTION AND COMPENSATION - FINES: WORKING PAPERS.** Law Reform Commission of Canada. Ottawa, Information Canada, 1974. 98 p. (NCJ 18080)

These papers suggest that restitution be made a basic principle in criminal law, that it be supplemented by a plan for compensation, and that a system of day-fines be instituted based on income rather than fixed amounts. In this working paper, restitution is defined as the responsibility of the offender to the victim to make good the harm done, and compensation as assistance by the State where the offender is not detected or where he is unable to assume responsibility for restitution. Under the proposed law reforms, fines would represent the penalty for an offense, over and above restitution. The automatic alternative of days in jail to fines also is opposed.

38. **RESTITUTION AND PAROLE/PROBATION SURVEY.** St. Paul, Minnesota Department of Corrections, 1977. (NCJ 59305)

Responses on 197 questionnaires completed by probation and parole officers of the Minnesota Corrections Department reveal these officers' attitudes toward restitution and their problems with its implementation. Twenty-one statements about restitution and possible problems were presented in a questionnaire sent to officers with a variety of caseloads. Response data shows the vast majority of agents believe restitution is a viable criminal justice sanction which should be used extensively, with all types of offenders. However, the respondents did have problems with the courts' lack of specification



on the amount of restitution required of adult offenders. Agents also complained that restitution is too time consuming, and that a lack of suitable chores exist for work-ordered restitution, particularly in juvenile cases. The officers noted that offenders often lack the earning ability to make restitution (again, juvenile offenders had the most severe problems), and victims often report losses dishonestly. Less significant concerns were the need for supervision of work-ordered restitution, the possibility of legal liability when processing restitution, and liability for accidents occurring during restitution. Survey data are provided.

39. SCHAFFER, S. Victimology: The Victim and His Criminal. Reston, Virginia, Reston Publishing Company, 1977. 187 p. (NCJ 40241)

A comprehensive discussion is presented of the victim of crime and the criminal-victim relationship, in which the author argues that the victim must be considered in the total dynamics of the crime. Current trends in the study of the criminal-victim relationship indicate that there is a new awareness of the victim's role and responsibility in the crime. This text first offers a history of the victim of crime which the "golden age" of the victim is discussed. This period encompasses the time when the victim held the dominant role in the criminal-victim relationship, and was compensated for his losses. There is also a discussion of the decline and revival of recognition of the victim's role in the relationship. All considerations are supported by case studies of the victim. Compensation and restitution to victims are treated in a discussion of the prospects of compensation of victim's needs. Finally, the author treats the problem of responsibility: that is, the functional responsibility of and for the victim. The author concludes that to understand crime and guilt, both the criminal and the victim must be studied.

40. \_\_\_\_\_. Restitution to Victims of Crime: An Old Correctional Aim Modernized. In Knudten, R.D. Ed., Criminological Controversies. New York, Appleton, Century, Crofts, 1968. 11 p. (NCJ 30601)

After establishing a historical perspective of criminal punishment and victim restitution, the author proposes a new concept of correctional restitution combining civil law compensation with the medieval notion of composition. Composition, as used here, refers to the medieval punitive approach of "making up" or "making whole." Included in the paper are some results from the author's research into offenders' willingness to compensate victims.

41. TITTLE, C.R. Restitution and Deterrence: An Evaluation of Compatibility. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 26 p. (NCJ 49549)

The potential impact on crime deterrence of various schemes that would require offenders to provide restitution for the harm caused by their criminal acts is assessed. Assumptions on which the deterrence-by-fear doctrine--the idea that people will refrain from illegal acts if they perceive that they will be caught and punished--are identified. The potential effects of seven restitutive plans on deterrence are considered. The plans fall within the general categories of punishment combined with restitution, and restitution instead of punishment. The probable effects of the plans on deterrence through other mechanisms--incapacitation, increased surveillance, education, reformation, norm reinforcement, vengeance defusion, preventive insulation (reducing the influence of deviants on potential deviants), associational response, and habituation--are also considered. It is pointed out that knowledge about deterrence is too meager to permit firm projections regarding the impact of restitution, that there is no inherent conflict between deterrence and restitution, and that the impact of restitution depends on the conceptualization of deterrence being considered. The analysis suggests that a plan combining partial restitution and ordinary sentences probably would increase deterrence by fear as well as deterrence by three other mechanisms. Unlike the other restitution schemes considered, this plan would entail no reduction in deterrence by any mechanism. Tabular data and notes are included.

42. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Sentencing to Community Service. By Beha, J., K. Carlson, and R. H. Rosenblum. Washington, 1977. (NCJ 43460)

Sentencing selected offenders to perform services for the community has become an increasingly popular option for judges; several types of community service alternative sentencing programs are set forth. Premised on the notion that a fine and/or jail term is not always in the best interest of society or the offender, many courts have embraced the concept of community service in lieu of the traditional sentences, particularly in cases involving misdemeanors. The purpose of this document is to set forth several types of community service alternative sentencing programs (also known as court referral programs) and discuss the issues and problems typically and/or potentially facing these programs. After an introductory chapter discussing the theory behind alternative sentencing, chapter 2 describes

three different types of alternative community service or court referral programs. At the conclusion of chapter 2 the major issues of concern to planners and administrators of such projects are discussed. Chapter 3 involves the legal issues concerning sentencing to community service. Included in chapter 3 is a discussion of the statutory bases and legal authority for such sentencing, potential constitutional issues, and the increasingly troublesome issue of potential tort liability of court referral programs. The fourth and final chapter is a discussion of the needs and methods for monitoring and evaluating court referral programs. The extent to which community service sentencing is currently being used and its impact on the judicial system are questions yet to be answered. However, the projects and their results, described in this document, suggest that sentencing to community service as an alternative to fines and jail may be of benefit to interested communities.

43. UTNE, M.K. and E. HATFIELD. Equity Theory and Restitution Programming. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 15 p. (NCJ 49552)

Equity theory, a general theory of social exchange, is discussed as a framework within which to address issues in designing restitution programs. Equity theory views social interaction as a process of reciprocal exchange, governed by a norm of distributive fairness. The theory holds that, when people find themselves participating in inequitable relationships, they become distressed and attempt to eliminate their distress by restoring equity. The probable impact of existing procedures within the U.S. legal system for restoring equity to the offender-victim relationship is discussed in light of equity theory. Ways in which common law civil litigation may actually discourage participants from making exact compensation are noted (the need to determine who is at fault, delays in judgment, pressures toward bargaining). An equity-based analysis of restitution programs points out considerations to be made in designing restitution programs. The effects of prodding or forcing wrongdoers to make restitution are considered, as are the effects of an agency's providing compensation to the victim in lieu of restitution by the wrongdoer. Practical problems likely to be encountered by restitution programers, including those stemming from the observation that equity is always in the eye of the beholder, are discussed. It is pointed out that, because different restitution programs can have markedly different impacts on participants, society must closely examine its goals in instituting any restitution program. It is concluded that there appears

to be considerable compatibility between restitution and other goals of the criminal justice system, such as deterrence, retribution, and rehabilitation. Notes are included.

44. VIANO, E.C. Victims, Offenders, and the Criminal Justice System: Is Restitution an Answer? In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 9 p. (NCJ 49553)

The criminal justice system's general disregard for the rights and needs of victims is discussed, and restitution is considered as a means of offering redress to victims. The problems that arise as a result of victimization are discussed in general and relative to specific offenses (homicide, sexual assault, assault, property crimes). Factors entering into the criminal justice system's recognition of a person as a victim are noted. Evidence that many victims fail to report offenses is cited. Possible reasons for failure to report are considered. Because the criminal justice system's disregard for victims' rights and needs may be one of the major reasons for victims' reluctance to report and/or to testify, it is concluded that steps must be taken to insure that the system pays greater attention to the victim. A system of effective and meaningful restitution is viewed as one approach to improving the victim's perceptions of the criminal justice system and of society in general. Restitution can serve victim, offender, and society by restoring the victim to a previous condition, by forcing the offender to face responsibility and remedy the damage done, and by strengthening societal ties. It is pointed out that too often the focus of restitution is on the offender and the benefits to be derived by the correctional system, rather than on the victim. The importance of considering the victim's needs independently of the needs of the offender and the criminal justice system is emphasized. A table summarizes crime-related victim problems. Notes are included.

45. WILLIAMS, V. and M. FISH. Proposed Model for Individualized Offender Restitution Through State Victim Compensation. In Drapkin, I. and E. Viano, Eds., Victimology: A New Focus, v. 2--Society's Reaction to Victimization. Lexington, Massachusetts, Heath Lexington Books, 1974. 11 p. (NCJ 30592)

A proposal is made to implement a restitution scheme within a correctional token economy system by requiring inmates to pay a portion of their points earned to the State to repay the State for its victim compensation. Under this system, the state would act as an intermediary between the victim and the offender. The

State would pay victim compensation according to its present or proposed plan. In the State's transactions with the victim, it would emphasize that it was acting as an intermediary and that the offender would be required to pay the State the equivalent of the amount being advanced to the victim. In this manner the victim would receive his restitution in a timely manner and in a useful pecuniary form. He also would receive "satisfaction" in knowing that the State would extract restitution from the offender. On the offender's end of the transaction, he would have the opportunity to earn "points" for participation in a rehabilitation program. He can be required to pay a portion of all points earned to the State with the understanding that he is indirectly making restitution to his victim. This would not be so burdensome to the inmate that it would kill his incentive to earn points in the program. The author states that the primary advantage of this method is that it would restore the direct relationship between the victim and the offender by impressing upon both parties the personal element of restitution.

## **RESTITUTION PROGRAMS**

46. CHALLEEN, D.A. and J.H. HEINLEN. Win-Onus Restitution Program. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 9 p. (NCJ 49558)

An experimental restitution program aimed at nonviolent, first-time offenders brought before the Winona County, Minn., court is described. The basic premise of the program is to impose positive sentences that will benefit the victim, the community, and the offender. The program is based on the principle that it is the responsibility of the wrongdoer to make amends to the victim or to the community as a whole while engaging in constructive activities to enhance his or her self-esteem and social position. Using this principle, the court imposes penalties of repaying the victim (money or services), repaying the community (working for a charitable organization), and participating in constructive activities (e.g., attending vocational school or alcoholics anonymous). With the guidance of court officers, offenders choose their own sentences. If offenders fail to carry through their sentences, the court imposes a traditional fine or jail sentence. Restitution program participants include persons convicted of such offenses as disorderly conduct, theft, simple assault, shoplifting, driving while intoxicated, reckless driving, and vandalism, as well as those persons whose economic status makes fines and jail sentences inappropriate penalties. When the crime involves a victim, the victim is contacted about the loss sustained and is repaid if at all possible. Plans to expand the restitution program are noted. Supporting data and documentation are appended.

47. CHESNEY, S., J. HUDSON, and J. McLAGEN. New Look at Restitution: Recent Legislation, Programs and Research. Judicature, v. 61, n. 8:348-357. March 1978. (NCJ 52413)

A summary of restitution legislation passed in 1976 and 1977, the results of a national survey of restitution programs, and an overview of research in restitution are presented. Sixteen States are considering or have already enacted some form of legislation establishing a mechanism by which offenders can compensate the victim for the losses they have caused. Most restitution proposals and laws fall into three categories: restitution as a component of the routine sentencing of adults; restitution as a specific condition of the disposition of juveniles; or restitution as a goal to be achieved through special programs. A major problem of restitution legislation is its failure to articulate the specific purpose of restitution. A mail survey of all State planning agencies and State correctional agencies (89 and 94 percent response, respectively) identified 54 restitution projects and programs, most of which are nonresidential and serve adult offenders. Twenty-six of the programs are administered by State-level agencies, 19 by county-level proba-

tion departments. Most of the programs permit offenders to make restitution in the form of money or services, depending on the offender's situation. The programs generally discourage any relationship between the victim and the offender during restitution. Often restitution supplements another sanction, such as parole or probation. A major shortcoming is the failure to make restitution part of the prison program. The survey found no prison in which inmates could make restitution from their earnings. Research in restitution has pursued three objectives: to describe the manner in which, and extent to which, restitution is being used; to determine attitudes toward the practice; and to evaluate specific programs. Descriptive studies in Minnesota and Oregon indicate higher use of restitution by the courts than was expected. Other findings are that restitution is used most often in property crimes, and that restitution usually is financial rather than service-oriented. Without exception, attitude studies have found that most people favor the use of restitution, although support for specific types of restitution and perceptions of problems with its use vary. Major evaluation studies were conducted for the Minnesota Restitution Center and the Georgia Department of Corrections restitution shelter program. A multi-year evaluation of seven adult restitution programs is underway, and a major evaluation effort covering restitution programs for juveniles is being planned by the institute for policy analysis in Oregon. It is concluded that enthusiasm for restitution is growing, but that a better understanding of restitution methods and effects is needed. Tables summarize restitution legislation passed or proposed in 1976 and 1977, and the major features of each restitution program identified in the survey.

48. FOGEL, D. and GALAWAY, B. Restitution in Criminal Justice: A Minnesota Experiment. Criminal Law Bulletin, v. 8, n. 8:681-691. October 1972. (NCJ 07473)

The development and implementation of a proposed restitution plan is presented which will be integrated into a community-based correctional facility. The participants will be selected randomly from adult male and female property offenders on their admission to prison. These offenders would be offered the option of living in a community correctional center and making restitution as an alternative to penal incarceration. A field experimental design is proposed to measure the effects of the program relative to the prison program as well as the extent of reconciliation of the victim and offender. Basic to this restitution proposal is a contractual process of reconciliation entailing a negotiated settlement of grievances by the parties involved, mediated by a representative of the correctional system.



49. GALAWAY, B. and J. HUDSON. Issues in the Correctional Implementation of Restitution to Victims of Crime. Washington, 1973. 16 p.  
MICROFICHE (NCJ 27730)

Descriptive analysis of the Minnesota Restitution Center, a community-based, residential facility which diverts selected adult offenders to a focused parole status in the fourth month after admission to the State prison. Central to this program is the collaboration of the offender and the victim in the completion of a contractual agreement specifying the amount, form, and schedule of restitution to be made. Program staff function as a third party both in helping mediate the restitution negotiations and, following parole, in facilitating completion of the agreement. Selections for the center are made from all new admissions who meet the following criteria: adult property offenders who were not in possession of a gun or knife when the crime was committed, sentenced from the 7-county metropolitan area of Minneapolis-St. Paul, with no detainers and with a minimum of 5-years community living since the last felony conviction. During the program's first year, 31 restitution contracts were developed and 28 men were released on parole to the center. This paper focuses on five major issues concerning the systematic implementation of restitution as they relate to this program. The issues discussed are the continuing involvement of the victim and offender, the appropriateness of defining a population of property offenders as program eligibles, the role of restitution in relation to other helping approaches, the volume of damages, and the use of an experimental design for evaluative purposes. The authors conclude that the restitution center has demonstrated that both criminals and their victims are willing to become involved in negotiating the form, amount, and schedule of restitution to be made, and that, in this program, the victim has become a considered party in the correctional system. They also agreed that the larger community had demonstrated a willingness to accept the humanitarian and economic rationales of the program. The experimental strategy was judged helpful in documenting the outcome effects on the victims and offenders served.

50. GEORGIA DEPARTMENT OF CORRECTIONS. Offenders Restitution Programs in Georgia. By B. Read. Atlanta, 1977. 21 p.  
MICROFICHE (NCJ 45622)

Two programs which work with offenders who are ordered to compensate victims have proved more effective than incarceration, less costly than traditional punishments. A 2-year LEAA project started in Georgia in 1975 set up a Resident Offenders Restitution Program. Under this program the courts and parole board may require offenders to make financial restitution to the victims of the crime and/or community service restitution while residing at the center under close supervision. The program is described

in detail. It has proved so popular with judges and parole officers as well as the community at large that the State legislature voted to continue funding after the pilot grant expired. A second program, a nonresident restitution plan for offenders who do not need such close supervision, has been set up under a new 2-year LEAA grant. The target population of the residential center program includes both probationers and parolees while the nonresident program is aimed at first offenders. The residential program has four centers operating 24 hours a day in Atlanta, Albany, Macon, and Rome. The core staff of counselors is supplemented by volunteers; sponsorship of various aspects of the community service program is spread widely among churches, schools, and civic groups. The offender is required to get a job. The center supervises the budget. A set amount is put aside each pay period to reimburse the victims. Payments are made either face to face or by mail. The public likes the idea that offenders are working, paying taxes, and off welfare. Social workers like the fact that there is less family disruption and a more positive approach to punishment. Judges and parole officers appreciate a viable alternative to incarceration. During the first 18 months offenders paid \$126,897 to victims, paid \$241,690 in State and Federal taxes, returned \$342,937 to the State in project income (room and board maintenance charges which are included as part of the budgeting process), spent \$431,704 in the community for living expenses, paid \$139,513 in financial support to families, saved \$84,156 for use when released, and contributed 4,212 hours of public service work. Cost of the center for the first year was \$116,000. Cost of incarcerating 30 offenders is \$121.35. Supervision for 30 on parole is \$6,150. The concept is not cost-saving if used for those on parole, but is if used for incarceration. To date those released from the center have had a 66 percent positive termination rate. Work is underway to expand the concept.

51. GONIGAM, G. E. Tazewell County: Deferred Prosecution - A Comprehensive Study, 1974-1978, Chicago, Illinois Law Enforcement Commission, 1979, 32p. (NCJ 59732)

This report of the Tazewell County, Ill., Deferred Prosecution Program describes the program design and summarizes and evaluates program results from 1974 to 1978. The program provides an alternative to formal criminal proceedings for selected first offenders by diverting them into organized community supervision programs that offer quality and intensive individualized supervision, service delivery, and victim compensation. Because the program relieves the formal system of present and anticipated pressures (at lowest possible cost), the system is better able to deal with serious and repeat offenders more effectively. After initial screening, the alleged offender is sent to the deferred prosecution program where a more thorough screening is undertaken.

Eligibility criteria established by the state's attorney and a citizens' advisory board include age (the individual must be at least 13 years, with no maximum age limit), residency (the individual must live in Tazewell County or the surrounding area), nature of the offense (eligible offenses include all criminal and delinquent offenses, both felonies and misdemeanors, except all class X felonies, violent crimes, and sale of controlled substances), and prior arrest record (no offender with a pattern of criminal history or antisocial behavior is admitted). When a client is accepted into the program, a voluntary service fee is requested to help defray costs of the program to the county. If there is a victim, the primary concern is for the alleged offender to make restitution to the victim. From 1974 to 1978, a total of \$46,623.39 was paid to victims. A majority of clients in the program, (52 percent) are 17 to 20 years old, and males make up 67.5 percent of the participants. Of the 950 cases referred to the program, 140, or 46.4 percent, were accepted. The program is considered successful, with a recidivism rate of only 2.6 percent. Tabular data are provided.

52. GROVES, P.H. Report on Community Service Treatment and Work Programs in British Columbia. In. Participation in Sentencing. Ottawa, Canada, Printing and Publishing Supply and Services, 1976. 30 p. (NCJ 42270)

This report examines the current and proposed uses of community service treatment in British Columbia, and discusses some of the issues and problems involved in these noncustodial penalties and programs. The present organization and administration of corrections in British Columbia is first outlined. It is noted that the development of work service programs is one of five major innovations planned by the department. The types of work service proposed by the department include involvement of probationers in existing community projects, arranged work projects of a public nature, and special social service programs for offenders who already possess specific skills. Several reports on the actual use of community service treatment in British Columbia are then provided, with the comments of judges and probation officers. Finally, an analysis of some of the problems involved in these types of programs is presented. The appendix provides a discussion of the use of community service in Indian communities.

53. HEINZ, J., B. GALAWAY, and J. HUDSON. Restitution or Parole: A Follow-Up Study of Adult Offenders. Social Service Review, v. 50, n. 1:148-156. March 1976. (NCJ 35840)

This study compared the postparole behavior of a group of offenders released to a restitution center to a group of offenders

released to parole and found that the restitution group performed better on four measures. A study was conducted comparing 18 male property offenders released on parole to the Minnesota Restitution Center after 4 months' imprisonment to a group of matched offenders who were released to conventional parole supervision. The two groups were individually matched on the variables of age at first offense, previous felony convictions, age at release, type of offense, and race. Followup occurred 16 months after release; official records were used to determine new offenses, parole-violation reports, the percentage of time employed, and to secure an overall assessment of parole success. The restitution group had fewer convictions, were employed for a higher percentage of time, and were rated higher on the Glaser Scale of parole success. The study, although limited, offers support for continued experimentation with the use of restitution as an alternative to imprisonment for property offenders.

54. HUDSON, J. Research on Restitution: A Review and Assessment. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 18 p. (NCJ 49557)

Major descriptive and evaluative research on restitution is cited and assessed, research deficiencies and problems are identified, and directions for further research are suggested. Research concerned with the manner in which restitution is being used as a sanctioning device includes a 1976 assessment of restitution in the Minnesota Probation System, an exploratory study of the perceived fairness of restitution in a juvenile court program in Minnesota, a 1977 survey of juvenile court restitution practices, an unpublished study of the perceptions of legislators and correctional administrators regarding restitution, a Minnesota survey of parole and probation officers' views about problems in restitution, and a national survey of the characteristics of restitution programs. Program evaluations include those conducted for a Minnesota restitution center, a restitution-based adult diversion program in Pima County, Ariz., an experimental restitution program operated by the probation department of Polk County, Iowa, and a restitution shelter program in Georgia. A review of the methods and findings of these studies suggests major research problems related to the use of experimental designs to assess program outcomes, the validity and reliability of data, and the lack of cumulative findings. One common finding in the research is the predominance of business organizations as victims. Several of the studies noted a predominance of white, middleclass offenders in restitution programs. Implications of these and other findings for future research are noted, as is the need to clarify the goals and objectives of restitution programs. Supporting data and notes are included.

55. INNER LONDON PROBATION AND AFTERCARE SERVICE. Community Service by Offenders. London, undated. 44 p. MICROFICHE (NCJ 28858)

A review of the first 2 years of the community service order scheme as it has been implemented in inner London: case studies and statistics are presented. The community service order scheme presents an alternative to incarceration through which an offender performs work useful to the community, such as building playgrounds or repairing nursing homes. Reasons for the success and failure of participants in the scheme are discussed. The appendixes contain statistical information on the lengths of the orders, courts of jurisdiction, and previous offenses.

56. KELDGORD, R. Community Restitution Comes to Arizona. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 6 p. (NCJ 49559)

A Pima County, Ariz., program that provides selected probationers the opportunity to repay the community for costs incurred as a result of the probationers' law violations is described. The Community Restitution In-Service Program (CRISP) evolved from a sentence passed by a judge on a drunken driver who was convicted of vehicular manslaughter. The offender, who had been sentenced to jail several times, had cost taxpayers a substantial sum of money. The judge sentenced him to perform community service at the county hospital, where he was to work for an alcohol counseling program and observe the suffering caused by people who drink and drive. From this beginning, the Pima County CRISP program was established, serving 129 probationers (4 percent of the total probation population) between January 1, 1976, and June 30, 1977. CRISP sentences are directed by the court (75 percent of the cases) or by probation officers. Sometimes an effort is made to assign the probationer to a CRISP activity directly related to the crime (e.g., requiring young men convicted of arson to donate service to the fire department). Some CRISP probationers have obtained permanent employment as a result of their community service. Evaluation studies found satisfaction with CRISP probationers' performance among 72 percent of the community agencies and 100 percent of the community residents involved. Of 129 probationers, 3 failed to comply with the CRISP activity requirement and had their probation revoked.

57. KENTUCKY DEPARTMENT OF JUSTICE. Owensboro, Kentucky: Court Referral Program; Evaluation Report. By Sims, P. and M. E. Curtin. Washington, 1976. 32 p. MICROFICHE (NCJ 40199)

A 6-month evaluation of the goal achievements of the court referral program (CRP), which provides an alternative sentence of community service to adult misdemeanants and juveniles referred by juvenile courts is presented. This postconviction diversion program is designed to provide a beneficial and cost effective correctional alternative for adult misdemeanants and juvenile court referrals. Its objective is to place 10 offenders a month as volunteers in community service agencies, with an overall success rate of 80 percent among the referred offenders during the project period. The evaluation assessed CRP efforts in terms of (1) project operations, placements, success of placements, and agencies receiving placements; and (2) project impact on the criminal justice system, i.e., use of the program by the courts, cost effectiveness, effect on recidivism, and reports from community agencies receiving placements. The evaluation showed that the objective of providing a cost effective alternative was not met, since most sentencing alternatives are less expensive. It was not possible to directly assess the benefits of the CRP. The objective of a placement rate of 10 referrals per month was partially met.

58. KIRKALOV, A.D. Community Service Order Program: The British Columbia Experience, V. 1, Background and Description of Initial Cases. Victoria, B.C., 1977. 124 p. MICROFICHE (NCJ 45953)

The program, in which the court issues an order for the offender (juvenile or adult) to perform a set number of hours of service as an alternative to a short prison term, is described. This Canadian Community Service Order Program is based on a similar program, the British Community Work service program, which has been operating successfully since 1972. The British Columbia program was set up in 1975 and by the end of May 1976 had admitted 1,459 offenders. The length of the service order is a maximum of 200 hours within a 6-month period for adults, and 100 hours in a 3-month period for juveniles. After the first year of operation two major recommendations were made. The first, already implemented, was to formally expand the program from Vancouver to the entire province. The second, not yet implemented, has been to change Federal and provincial legislation to enable community service to exist as a separate disposition under the criminal code and the juvenile delinquents acts. This report includes a statistical description of the first 1,459 admissions. A second volume, to be issued later, will summarize the 3,000 cases admitted June 1976 to June 1977. Generally, juvenile cases account for 55.7 percent; 88 percent are male. Native

Indians account for 9.0 percent. The most common offenses are "theft under \$200" and "break and enter." About one-third are admitted by probation officer inquiry, the others by a court standard probation order. Almost all the participants are assigned work for the community rather than for the victim. Half of the orders are for work in a community or service agency, 36.1 percent are for community recreation facilities and park development, 4 percent work for the victim on jobs not related to the offense, 1.4 percent repair damage related to the offense. Community volunteer groups supervise 66 percent of the work orders. Almost all (93.3 percent) of the work orders are completed. The program has received positive comments from court and probation officials. The report also analyzes program participants according to region of the province; the Vancouver Island region accounts for 46 percent. It is noted that the program is too new for the effectiveness to be measured.

59. MINNESOTA GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL. Assessment of Restitution in the Minnesota Probation Services. (Issued in 2 Unnumbered Volumes). By Chesney, S. Washington, 1976. 150 p. MICROFICHE (NCJ 35789)

A study to determine the extent to which Minnesota courts use restitution as a condition of probation, personal characteristics of persons ordered to pay restitution, and circumstances of the offense is presented. The study also sought to determine the ways in which the courts structured restitution, the amounts of restitution ordered and collected relative to reported losses, and factors associated with successful completion of restitution. Data were collected through a survey of all courts in the State, examination of court records, interviews with judges and probation officers, and interviews with victims and offenders. Responses indicate that restitution existed as a condition of probation in about one-fourth of adult felony cases in the sample and about one-fifth of the juvenile probation cases. Other findings reveal that restitution was more common in rural counties than urban counties and that restitution was required more often for property crimes than for crimes of personal violence. Other findings assess offender and victim attitudes, amounts and manners of payment, and success rates for probationers ordered to make restitution. The court survey instrument and cover letters are appended. A 30-page Executive Summary (NCJ 32744) is also available in both paper and microfiche.

60. MINNESOTA RESTITUTION CENTER, Minneapolis, Minnesota Department of Corrections, 1976. 20 p. MICROFICHE (NCJ 59303)

The Minnesota Restitution Center, a community-based correctional program operated by the Minnesota Department of Corrections, is described. The program is offered to selected property offenders who have been sentenced to the Minnesota State Prison or the State Reformatory for Men. The program's focus is on offenders making restitution to the victims of their crimes. While somewhat similar to "victim compensation" laws, the concept of restitution clearly calls for the individual offender, as opposed to the State, making restitution to the victim. The Minnesota center is one of the first attempts at systematically applying the idea of restitution to a community-based correctional program. It received its first client in September 1972. Program objectives are to (1) provide means by which offenders may compensate victims for material loss, (2) provide intensive personal parole supervision, (3) provide offenders with information about their behavior and help them resolve personal problems through individual and group counseling, (4) provide victims with restitution, (5) disseminate information regarding the restitution concept and the center to other criminal justice agencies throughout the U.S. and Canada, and (6) undertake valid research and evaluation of the concept of restitution. An overview of the center is presented with sections devoted to its organizational structure, client selection and screening process, program structure, staff composition, group programs, and research and evaluation objectives. A selected bibliography is included.

61. MINNESOTA RESTITUTION CENTER: INTERIM EVALUATION RESULTS. St. Paul, Minnesota Department of Corrections, 1975. 54p. MICROFICHE (NCJ 59307)

A controlled experiment undertaken to evaluate the effect of a community-based, residential program of victim restitution for property offenders is reported. Between May 1972 and March 1974, Minnesota state prison inmates who met the restitution program's criteria were assigned randomly to control and experimental groups. The 69 controls remained in prison prior to release on either parole or discharge, while the 62 members of the experimental group were released on parole to the Restitution Center. Most subjects were from Minneapolis-St. Paul, were white, had been sentenced to prison for burglary, had many prior felony convictions, and were 30 years old or younger. The 62 offenders admitted to the center had a total of 221 officially listed victims, the largest proportion of whom were private citizens. Most monetary restitution obligations were for \$200 or less. Of the total amount of monetary restitution obligated by program participants (\$16,934.99), \$9,459.10 had been paid as of



August 1975, while 372.2 of the obligated 1,084 hours of symbolic restitution (community service) had been completed. A followup check on the legal status of experimental subjects and controls 18 months after their admission to prison found that more controls than experimentals had received parole discharge and new court commitments, while more experimentals than controls had been returned to prison on technical parole violations. (Differences in at-risk periods in the community may be a factor in this finding.) Experimentals served significantly shorter periods of time in prison and significantly longer periods of time on parole than did controls, and also served significantly longer overall periods under supervision (prison and parole) than did controls. Details of the restitution program, evaluation methods, and findings are provided, together with interpretations of the findings. It is pointed out that the Restitution Center, which was designed as a partial diversion from prison, actually compounds sanctions by adding to the total length of time spent by offenders under supervision. Supporting data are provided.

62. MINNESOTA RESTITUTION UNIT. St. Paul, Minnesota Department of Corrections, 1978. 11 p. MICROFICHE (NCJ 59304)

With the closing of the Minnesota Restitution Center in 1976 due to lack of residents, the focus on restitution within the Minnesota Department of Corrections changed. The number of restitution program staff was reduced and the responsibility changed from developing restitution agreements and supervising offenders on parole to developing restitution agreements with responsibility for parole supervision left to the assigned parole officer. The offender population eligible for the restitution program expanded from property offenders in a 7-county metropolitan area to property offenders in State prisons or reformatories anywhere in Minnesota. The victim-offender involvement in reaching restitution agreements was dropped, and inmates who developed agreements in cooperation with program staff now are released on conventional parole. In addition to these program changes, the corrections department formed a Restitution Unit to develop and maintain a clearinghouse of restitution literature, to undertake restitution research, and to train and lend technical assistance to local units of government interested in restitution programs statewide. The Minnesota Corrections Board adopted a matrix system designed to eliminate inconsistencies in paroling decisions and the corrections department began a pilot program to assist minimum security prisoners with the process of community reintegration and to enable offenders to pay restitution debts by employing them as conservation workers on State-controlled projects.

63. NATIONAL SCIENCE FOUNDATION. Georgia's Residential Restitution Centers. By Weber, J.R. Lexington, Kentucky, Council of State Governments, 1978. 26 p. (NCJ 51828)

The establishment of 10 community restitution centers significantly reduced Georgia's crowded prisons and provided economic benefits. The centers' programs are described and benefits are summarized. The background portion of this paper describes the changes in correction philosophy and the overcrowding in Georgia's prisons which led to the establishment of community-based corrections facilities. The 10 residential restitution centers, located in judicial districts, are part of this overall community-based effort. The centers are designed for adults, are offender focused rather than victim focused, and are an alternative to incarceration, not an alternative to probation supervision. The offenders live in the centers 24 hours a day, 7 days a week. They either keep their jobs or are helped to find jobs, and the paychecks are given to center staff members for division according to a contract. During the 12-month period ending June 30, 1977, the program paid \$128,437 to victims, logged 8,372 hours of volunteer work, and provided support to offenders' families. The offenders also paid \$206,880 in room and board to the centers. The typical offender is about 19-years-old, male, a property offender, has been on probation once, and stays 4 months. Tables present inmate statistics for Georgia and the United States as a whole, a survey of selected restitution programs in various States, an overview of the operating budget of the 10 Georgia centers, and a comparison of budgets for the 10 centers. Suggestions for setting up such a center are presented, and lessons learned from the Georgia experiment are summarized. Footnotes provide references and additional information.

64. NELSON, T. Post Incarceration Restitution. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 5 p. (NCJ 49563)

A work release center featuring a restitution program for convicted incarcerated adult felons in Oregon's penal institution is described. The center's restitution program implements three categories of monetary restitution: concurrent probation restitution obligations (inmates who have restitution obligations from other offenses); court-ordered restitution obligations; and voluntary restitution. For each program participant, the amount of the financial obligation is determined (when necessary by contacting victims), the offender's financial situation is assessed, and a financial worksheet is completed. The program counselor and the offender develop a restitution contract, which outlines the payment schedule and notes the date the first payment will be made. Payments are handled through the offender's

work release trust account. Procedures for disbursing the funds vary according to the nature of the restitution effort. Legal and other problems encountered in developing the program are noted, as are evaluation efforts. As of November 1977, eight work release enrollees had participated in the restitution program. Six of these successfully completed payments on court-ordered and probation obligation restitution orders for a total of \$1,633.19. Plans to continue the program are noted.

65. NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES. Restitution Center Concept as a Part of the Criminal Justice System. R. Burdick, Proj. Dir. Washington, 1977. 39 p. MICROFICHE (NCJ 47833)

The feasibility of establishing restitution centers as an alternative means of dealing with property offenses in New York State is considered. Restitution centers are halfway houses for offenders and have been implemented in Georgia and Minnesota as an alternative to incarceration and/or probation for such offenses as burglary, unauthorized use of a motor vehicle, forgery, and fraud. A formal contract is drawn up between the offender and the victim; the contract details a satisfactory restitution settlement which the offender agrees to pay the victim. The offender also agrees to find employment in order to fulfill the contract and to support him or herself and dependents. Case histories of restitution centers in Georgia and Minnesota are presented, as are statistics of New York's non-violent offenders who would be candidates for restitution center referral. It is estimated that the introduction of restitution facilities could reduce the State's inmate population by 14 percent. Corrections costs in New York and possible savings from a restitution program are considered, and the cost effectiveness of a restitution program is projected. It is estimated that a restitution program could save the state \$3,865 per individual offender per year. Recommendations for establishing a restitution program in New York cover planning, program philosophy and intent, target population, client selection, cost effectiveness, research design community involvement, and flexibility. Correspondence is appended.

66. NEWTON, A. Aid to the Victim, Part 1: Compensation and Restitution. Crime and Delinquency Literature, v. 8, n.3:368-390. September 1976. (NCJ 36591)

The first of a two-part series on victim and services, this paper discusses the two major types of financial aid provided to innocent crime victims--compensation paid by the State and restitution paid by the offender. A brief overview of compensation schemes in 11 American States, including highlights of the

New York program, is followed by an examination of the elements of a model compensation program. A discussion of offender restitution in the United States focuses on the Minnesota Restitution Center, which uses restitution as a condition of probation; the Georgia restitution program, which functions as a diversionary alternative for probationers and parolees; and the Iowa restitution in probation experiment, which utilizes restitution as a condition of probation or deferred sentences.

67. PATERSON, M. Oklahoma Department of Corrections Restitution Program. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 5 p. (NCJ 49562)

A monetary restitution program that provides Oklahoma judges with a probationary sentencing alternative is described. The goals of the Oklahoma program are to aid the offender, the victim, and the State. The majority of program participants are young (median age of 25), white males earning between \$4,000 and \$8,000 per year. Most of the participants are property offenders. In the program's first year, 1,214 offenders participated. Of these, 294 successfully completed their court-ordered obligations to 457 victims, including both individuals and businesses. A department of corrections restitution unit implements restitution schedules developed by prosecutors and included in probationers' dispositions. All money received from offenders is posted to a checking account, and disbursements are made to victims on a pro rata basis. The restitution unit is involved in only one decision in the entire process: that regarding delinquency of court-ordered payments. Victim involvement is not required. The only major problem has been the courts' failure to forward some types of information to the restitution unit. The program has collected \$175,000 in restitution for victims. Possibilities for expanding the program are noted.

68. PEASE, K., S. BILLINGHAM, and I. EARNSHAW. Community Service Assessed in 1976: England. London, England, Her Majesty's Stationery Office, 1977. 36 p. (NCJ 46098)

The use of community service orders as an alternative to a custodial sentence in England, reconviction rates, and offense seriousness are examined. This is a second report on experimental community service programs conducted in six areas of England. The first report described the nature of the program, while the present one is an evaluation of its effectiveness. An estimate was made of the proportion of those given community service orders who were diverted from custody. This estimate is within the 45 to 50 percent range of those given orders. A study of over 1 year of reconviction rates for those given community service

orders during the program's first year of operation in each of the 6 experimental areas revealed that 44.2 percent of all those sentenced to community service were reconvicted within a year of the sentence. This was in the same range of reconviction as that of a group recommended for, but not given, a community service order. There is no evidence of systematic change in the level of seriousness of offenses committed after a sentence of community service or in the time at risk before reconviction. It is noted that the subjects of the study were those involved in community service at a time when the project was new and developing. Tabular data are presented, and a bibliography is presented.

69. RAVE, C.H. Victims' Assistance Program. In Galaway, B. and J. Hudson, Eds., Offender Restitution in Theory and Action. Lexington, Massachusetts, Heath Lexington Books, 1978. 5 p. (NCJ 49561)

A victim-centered restitution program serving residents of the Rapid City/Pennington County, S. Dak., area is described. The Pennington County Adult Victims' Assistance program was an addition to an existing victims' assistance program that had been in operation at the juvenile level for 2 years. The adult program, which serves victims of both misdemeanor and felony offenses, is operated under the direction of the Seventh Circuit Court of South Dakota. When an adult offender pleads guilty to or is found guilty of an offense in which it appears that a victim suffered financial loss, a court services officer connected with the victims' assistance program contacts the victim, determines the amount of restitution to be paid, and prepares a victim case file. Restitution payments may be ordered as a condition of probation or, at the misdemeanor court level, as a condition of suspended sentence. Since November 1975, 320 victim cases involving 270 adult offenders have been investigated. Through September 1977 \$23,979.48 in restitution had been collected. The program's operational procedures are described, as are the extent of victim involvement and the problems encountered by the program. One problem has been some misunderstanding by victims regarding the intent and purpose of the program.

70. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. Alachua County, Florida: Recommendations for Developing Court Referral Project Using Misdemeanants as Community Volunteers--Criminal Courts Technical Assistance Project. By Fautsko, T. F. and R. Wedden. Washington, 1974. 116 p.

MICROFICHE (NCJ 39789)

Plans are presented for developing a project through which misdemeanants might become community volunteers in lieu of paying

a fine. The need to instill in a client a feeling of responsibility for his or her actions through service to the community was recognized. Female shoplifters were to be the primary recipient of the proposed program. The defendant's adjudication would be withheld, and the trial date set upon successful completion of the community contract. At the preliminary hearing the judge would determine the length of time and the type of area to be worked, such as in a hospital emergency room for the careless driver. Volunteers would be appointed to coordinate the volunteer workers. Client volunteer jobs could include students tutoring on campus, work in the humane society, and convalescent center.

71. Connecticut: Recommendations for Improving the Use of Restitution as a Dispositional Alternative, as Administered by the Connecticut Adult Probation Division--Criminal Courts Technical Assistance Project. By Balivet, T. et al. Washington, 175. 26 p. MICROFICHE (NCJ 39689)

Report of a technical assistance project to decide how to best determine situations where restitution might be appropriate and to investigate possible procedures for implementing the use of restitution in the State. This project was undertaken because Connecticut lacks, in its present use of restitution, a satisfactory structure for providing information for court decisions, limited remedies for certain kinds of cases, and a workable procedure for administration and enforcement. The principal recommendation of this report is that a central restitution unit be established.

72. Recommendations for Improving the Use of Restitution as a Dispositional Alternative as Administered by the Connecticut Adult Probation Division. By Balivet, T. et al. Washington, American University Law School, 1975. 32 p. (NCJ 45449)

Ways of expanding Connecticut's criminal restitution system are examined, considering particularly the determination of cases where restitution might be appropriate and procedures to implement the system. The background of the use of restitution as a dispositional alternative is briefly discussed, particularly as it has been used in Connecticut (primarily in fraud cases). Its aims, benefits in terms of victim compensation and reduction in institutional and court burdens, and rehabilitative value are considered. The major factors which must be taken into account in a successful restitution program--provision of adequate information to the court to determine the appropriateness of restitution in an individual case; limitation of restitution to appropriate categories of cases; and workable administrative

and enforcement procedures--are discussed. The existing restitution program is evaluated in terms of these three factors. Various options available to the court in ordering restitution and the implications of each are analyzed. Specific operational procedures which should be adopted by the courts and by the adult probation division are outlined, considering such elements as amount of restitution, determination of ability to pay, and mechanisms for collection. Three alternatives for administration of the program are suggested, and a recommended pilot study is described. A sample case processing form is appended.

73. Seattle Youth Service Bureau: Accountability System--Two-Year Evaluation and Crime Impact Analysis. By Mathews, K.E. and A.M. Geist. Washington, 1976. 59 p. MICROFICHE (NCJ 34306)

An evaluation is presented of a system designed to reduce the rate of juvenile crime by obliging youths to perform either monetary or community service restitution for their offenses. The accountability board component was organized by the Seattle Law and Justice Planning Office in response to the rising rate of juvenile crime. The historical background and present structure of the project is summarized as well as descriptive data such as client population statistics and services provided which are relevant to project operation. A full presentation and explanation of statistical analyses of the crime impact of the system after two years are provided. Data indicate that recidivism rate reduction is significant among youths processed by accountability boards. Tables include data on client characteristics, board services and actions, and recidivism rates.

74. Systems Analysis: An Analysis of the Functioning of Restitution Programs in the District, County and Juvenile Courts in Three Minnesota Judicial Districts. By McReath, B., J. Worel, and D. Wynne. Washington, 52 p. MICROFICHE (NCJ 46473)

A court-by-court analysis of systems used to process offenders who receive restitution sentences and of the attitudes/value biases which affect the implementation of restitution sanctions is presented. This second part of a two-part evaluation was conducted in three judicial districts in Minnesota. The first part used court files to document various uses of restitution and characteristics of offenders under restitution sentences. This report is a systems analysis examining each court's restitution system and the people responsible for its implementation. Courts examined were District 6 (Arrowhead Region) composed of four counties and the city of Duluth, District 2 (Ramsey County) which contains the city of St. Paul and surrounding suburbs, and District 3, which includes 11 rural counties. In-

depth interviews and onsite visits were used to collect data. In the Arrowhead district, interest in restitution options is strong, particularly those in which some form of work service is substituted for financial payment, an important option for low-income offenders. However, the programs are new and the staff is having problems with implementation details. Additional training is needed. Also, the various counties are unaware of the programs and opportunities which exist in other counties. Some form of cooperation should be developed. In St. Paul a program called "SAVE" (Sentencing Alternatives for Volunteer Employment) has been organized. The support services division of the district court is responsible for administration. It is strictly an adult program, and it served 162 referrals in 1976-1977. County court judges use both financial and service restitution widely, both through the SAVE program and through individually arranged restitution plans. The District 2 program has problems common to large systems including staff cynicism and philosophical disagreements concerning the restitution programs. The issue of restitution payments to insurance companies is important in Ramsey County, and diverse opinions are represented in the system. There is a need for further development of a common focus of restitution programs and guidelines for implementation. District 3 uses restitution widely in juvenile cases and in a few scattered adult cases. Steele County courts use restitution to provide direct financial reimbursement and victim-offender contact while using its work program as punishment for the crime. Most of the counties contain a city large enough to provide employment opportunities for restitution and small enough to encourage active community involvement. An exchange of information among court personnel, greater coordination in solving common problems, and training sessions would all be helpful in improving these viable restitution systems. Major problems identified with all of the restitution programs include the problem of determining the value of stolen or damaged property, the reluctance of court service staff to handle money, the disagreement about payments to insurance companies, and the role of victim-offender contact. Finding the best way to handle an offender who does not fulfill his restitution contract is also a significant problem.

75. Victim Restitution: An Assessment of the Restitution in Probation Experiment Operated by the Fifth Judicial District Department of Court Services, Polk County, Iowa. By Steggerda, R. O. and S. P. Dolphin. Washington, 1975. 73 p.  
MICROFICHE (NCJ 37008)

Final evaluation of a project to facilitate application of a law setting up restitution as a probation condition and to test the effects of face-to-face meetings of victims and offenders in administering restitution plans. Due to the late project



implementation and the short-term nature of the evaluation, valid measures of major effects such as reduction of recidivism or rehabilitation of clients were not possible. Immediate project effects relating to such criteria as client cooperation, victim cooperation, and client payment regularity were measured. It was found that complete on-time payments were made 77.5 percent of the time by clients who met with the victims of their offenses, compared with 62.2 percent for those with no victim involvement, 55.1 percent of those who met with representatives of the victims, and 45.1 percent of the time by those whose cases involved only counselor-victim contacts. It was concluded that victim and offender face-to-face involvement in the restitution plan was the most effective approach. Codesheets used to collect data are appended.

76. VARNE, S. Saturday Work: A Real Alternative. Australian and New Zealand Journal of Criminology, v.9, n. 2:95-108. June 1976. (NCJ 41886)

The Saturday work order scheme was introduced in Tasmania in 1972 as an alternative to custodial treatment to be offered to an offender only if the sentence would otherwise have been imprisonment. In the verdict, the offender is given the choice between a prison sentence of unknown length and a Saturday work order which cannot exceed 25 Saturdays on any one charge. The author contests the claim that the work order scheme has been effective in reducing the prison population. On the basis of an analysis of the statistical data available, she concludes that the work order in many cases has been given to offenders who would not, prior to the legislation, have received a prison sentence, and, therefore, appears to replace fines and good behavior bonds. It is recommended that either the act be changed to allow judges to offer work orders as an alternative to a bond, probation, or a fine (as well as imprisonment) thereby enabling the offender to make a real choice or an effort be made to insure that the spirit of the law is followed.

77. WAX, M.L. Effects of Symbolic Restitution and Presence of Victim on Delinquent Shoplifters. Doctoral Dissertation, Washington State University, Pullman, Washington, 1977. (NCJ 59372)

This 6-month exploratory study was designed to determine whether sentencing juvenile offenders to 20 hours of community service and having the victim present at sentencing reduced further delinquency. The study used four behavioral measures of outcome (police contact, court contact, school attendance, and school behavior problems) and one psychological test (the Jesness Inventory, a personality inventory consisting of 11 subscales). The 36 juveniles from the Benton Franklin Counties Juvenile Court,

Wash., were assigned to one of three treatment conditions: 20 hours of community service (described as symbolic restitution) without the victim present at sentencing, 20 hours of restitution with the victim present at sentencing, and no restitution and no requirement that the victim be present. Data on behavioral differences in the various groups and test scores after a 6-month period were compared statistically using Fisher's Exact Test. Performance patterns of the subjects on the psychological test indicate a positive effect of restitution on postexperiment scores (particularly on the asocial and immaturity indexes) but no notable effect on the scores with regard to the victim's presence at sentencing. Because the statistical analysis of behavioral differences revealed no significant findings for the three groups, the results do not encourage further investigation. However, if a similar study is conducted, it should involve a larger sample, additional psychological variables, and other sentence types such as weekend detention. Study data and references are provided as well as interview procedures used in the study.

## APPENDIX A—LIST OF SOURCES

1. Mott Media  
Box 236  
Milford, MI 48042
2. Heath Lexington Books  
125 Spring St.  
Lexington, MA 02173
3. Ballinger Publishing Company  
17 Dunster St.  
Harvard Square  
Cambridge, MA 02138
4. Same as No. 2.
5. University Microfilms  
300 N. Zeeb Road  
Ann Arbor, MI 48106
6. Warren, Gorham and Lamont, Inc.  
210 South St.  
Boston, MA 02111
7. Center for Information on America  
Washington, CT 06793
8. Charles C. Thomas  
301-327 E. Lawrence Ave.  
Springfield, IL 62717
9. D.C. Heath and Company  
125 Spring St.  
Lexington, MA 02173
10. American Judicature Society  
Suite 1606  
200 W. Monroe St.  
Chicago, IL 60606
11. Praeger Publishers  
c/o Holt, Rinehart, Winston  
383 Madison Ave.  
New York, NY 10017
12. Patterson Smith  
23 Prospect Terrace  
Montclair, NJ 07042
13. Same as No. 6.
14. National Council of Juvenile and  
Family Court Judges  
Box 8978  
University of Nevada  
Reno, NV 89507
15. Pendragon House  
P.O. Box 255  
Old Mystic, CT 06372
16. Sweet and Maxwell  
11 New Fetter Lane  
London, England
17. Available only through NCJRS  
Microfiche Program and NCJRS  
Document Loan Program.
18. Same as No. 17.
19. Same as No. 17.
20. Same as No. 17.
21. Same as No. 17.
22. Butterworth (Australia)  
586 Pacific Highway  
Chatswood  
Australia
23. Council of Planning Librarians  
P.O. Box 229  
Monticello, IL 61856
24. Same as No. 3.

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|--|--|
| 25. Printing and Publishing Supply<br>and Services Canada<br>Ottawa K1A OS9  | 41. Same as No. 2.   |
| 26. Administrative Office of the<br>United States Courts<br>Supreme Court Building<br>Washington, DC 20544           | 42. ABT Associates, Inc.<br>55 Wheeler St.<br>Cambridge, MA 02138  |
| 27. National Council on Crime and<br>Delinquency<br>Continental Plaza<br>411 Hackensack Ave.<br>Hackensack, NJ 07601 | 43. Same as No. 2.   |
| 28. Same as No. 27.  | 44. Same as No. 2.   |
| 29. Same as No. 17.  | 45. Same as No. 2.   |
| 30. Same as No. 2.   | 46. Same as No. 2.   |
| 31. Same as No. 3.   | 47. Same as No. 10.  |
| 32. Same as No. 2.   | 48. Same as No. 6.   |
| 33. Same as No. 2.   | 49. Same as No. 17.  |
| 34. Same as No. 2.   | 50. Same as No. 17.  |
| 35. Same as No. 27.  | 51. Tazewell County Deferred<br>Prosecution Program<br>414 Court St.<br>Tazewell Building<br>Pekin, IL 61554 |
| 36. Her Majesty's Stationery Office<br>P.O. Box 569<br>London, S.E.1<br>England                                      | 52. Same as No. 25.  |
| 37. Information Canada<br>171 Slater St.<br>Ottawa, Ontario K1A OS9  | 53. University of Chicago<br>5801 South Ellis Ave.<br>Chicago, IL 60637                                      |
| 38. Minnesota Department of Corrections<br>Victims Services Unit<br>St. Paul, MN 55101                               | 54. Same as No. 2.   |
| 39. Reston Publishing Company, Inc.<br>Box 547<br>Reston, VA 22090   | 55. Same as No. 17.  |
| 40. Appleton-Century-Crofts<br>440 Park Ave. South<br>New York, NY 10016   | 56. Same as No. 2.   |
|  | 57. Same as No. 17.  |
|  | 58. Same as No. 17.  |
|  | 59. Same as No. 17.  |
|  | 60. Same as No. 17.  |
|  | 61. Same as No. 17.  |

62. Same as No. 17.

63. Council of State Governments  
P.O. Box 11910  
Lexington, KY 40511

64. Same as No. 2.

65. Same as No. 17.

66. Same as No. 27.

67. Same as No. 2.

68. Same as No. 36.

69. Same as No. 2.

70. Same as No. 17.

71. Same as No. 17.

72. American University Law School  
Institute for Advanced Studies  
in Justice  
4900 Massachusetts Ave., NW.  
Washington, DC 20016

73. Same as No. 17.

74. Same as No. 17.

75. Same as No. 17.

76. Same as No. 22.

77. Same as No. 5.

## **APPENDIX B—LEAA Programs**

The Law Enforcement Assistance Administration is sponsoring a number of programs on the general topic of restitution. While the majority of the grants are for maintaining restitution programs, some of the funds have been designated for research on restitution as a sentencing alternative. The following list identifies some of the current grant institutions as possible sources of additional information.

Summit County Juvenile Court  
650 Dan St.  
Akron, OH 44310

Criminal Justice Research Center, Inc.  
1 Alton Road  
Albany, NY 12203

New York State Division of Probation  
Tower Building  
Empire State Plaza  
Albany, NY 12223

Idaho Fourth Judicial District  
Ada County District Court  
Boise, ID 83702

Community Service Restitution Program  
Northeastern University  
College of Criminal Justice  
Boston, MA 02115

Department of Youth Services  
294 Washington St.  
Boston, MA 02108

Camden County Probation Department  
327 Market St.  
Camden, NJ 08101

State Department of Human Resources  
Youth Services Agency  
Room 600  
Kinkead Building  
505 E. King St.  
Carson City, NV 89701

Geauga County Commissioners  
Courthouse Annex  
Chardon, OH 44024

Trident United Way  
Voluntary Action Center  
P.O. Box 2696  
Charleston, SC 29403

Offender Aid and Restoration, Inc.  
409 E. High St.  
Charlottesville, VA 22901

Chicago Department of Human Services  
640 N. La Salle St.  
Chicago, IL 60610

Cincinnati Institute of Justice  
222 E. Central Parkway  
Cincinnati, OH 45202

Prince George's County Government  
4321 Hartwick Road  
College Park, MD 20740

The Friends Program, Inc.  
P.O. Box 1331  
Concord, NH 03301

University of Denver  
Denver Research Institute  
Denver, CO 80208

County of Wayne, Mich.  
Juvenile Division, Probate Court  
1025 East Forest  
Detroit, MI 48207

Arrowhead Regional Corrections  
404 W. Superior St.  
Duluth, MN 55802

Youth-Gap, Inc.  
214 City-County Building  
El Paso, TX 79901

Institute of Policy Analysis  
777 High St.  
Room 222  
Eugene, OR 97401

Snohomish County  
County Administration Building  
Everett, WA 98201

Forest Lake Youth Service Bureau  
256 Southwest 5th St.  
Forest Lake, MN 55025

Broward County Board of Supervisors  
201 Southeast 6th St.  
Fort Lauderdale, FL 33301

Comprehensive Juvenile Services, Inc.  
51 South 6th  
Fort Smith, AR 72901

Jacksonville Sheriff's Office  
P.O. Box 2070  
Jacksonville, FL 32202

Thames Valley Council for  
Community Action  
1 Sylvandale Road  
Jewett City, CT 06351

Clayton County Juvenile Court  
Clayton County Courthouse  
Jonesboro, Ga 30236

Jefferson County Fiscal Court  
Department of Human Services  
216 5th St.  
Louisville, KY 40202

Lynn Youth Service Bureau  
1 Market St.  
Lynn, MA 01901

County of Dane, Wisconsin  
210 Mona Ave.  
Madison, WI 53701

Wisconsin Department of Health,  
Social Service  
Division of Community Service  
1 West Wilson  
Madison, WI 53702

Middlesex County Regional Probation, Inc.  
10 High St.  
Medford, MA 02155

Hennepin County Department of Finance  
A609 Government Center  
306th St.  
Minneapolis, MN 55487

Porter County Courthouse  
Michigan City, IN 46360

Vera Institute of Justice, Inc.  
30 E. 39th St.  
New York, NY 10016

City of New Bedford  
Juvenile Court  
Municipal Building  
New Bedford, MA 02740

Orleans Parish Juvenile Court  
421 Loyola Ave.  
New Orleans, LA 70112

City of Newport News  
Court Services  
230 25th St.  
Newport News, VA 23607

Juvenile Bureau District Court of  
Oklahoma City  
321 Park Ave.  
Room 214  
Oklahoma City, OK 73102

Law of Justice Planning Division  
Office of Financial Management  
G A Building  
Room 206  
Olympia, WA 98504

County of Cumberland  
P.O. Box 308  
Portland, ME 04112

District Court of East Norfolk  
500 Chestnut Street  
Quincy, MA 02169

Trial Court of Massachusetts  
East Norfolk Division  
50 Chestnut St.  
Quincy, MA 02169

Red Lake Tribal Council  
Tribal Offices  
Red Lake, MN 56671

National Council of Juvenile  
Family Court Judges  
P.O. Box 8978  
Reno, NV 89507

Puerto Rico Department of Addiction  
Services  
P.O. Box B-Y  
Rio Piedras Station  
Rio Piedras, PR 00928

University of Minnesota, Duluth  
School of Social Development  
2642 University Ave.  
Saint Paul, MN 55114

New Mexico Spa  
Administrative Services Division  
425 Old Santa Fe Trail  
Santa Fe, NM 87501

Lucas County Juvenile Court  
429 Michigan St.  
Toledo, OH 43624

Baltimore County Criminal Justice  
Coordinators Office  
123 Courthouse  
Towson, MD 21204

Lucas County Juvenile Court  
429 Michigan St.  
Toledo, OH 43624

Baltimore County Criminal Justice  
Coordinators Office  
123 Courthouse  
Towson, MD 21204

Supreme Court of New Jersey  
Administrative Office of the Court  
349 State House Annex  
Trenton, NJ 08625

County of Ventura, California  
Corrections Service Agency  
Ventura, CA 93009

Brandeis University  
Court Alternative Placement Program  
38 Linden St.  
Waltham, MA 02154

District of Columbia Superior Court  
Division of Social Services  
613 G St., NW  
Washington, DC 20001

Adams County Board of Commissioners  
Adams County Courthouse  
West Union, OH 45693

Association for Support of Human  
Service, Inc.  
42 Arnold St.  
Westfield, MA 01085

Family Court of Delaware  
P.O. Box 2359  
Wilmington, DE 19899



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