

Missouri Restorative Justice Coalition



Annotated Bibliography of Select Restorative Justice Programs and Research Studies

Altschuler, David M. (2001). Community justice initiatives: Issues and challenges in the U.S. context. *Federal Probation*, 65(1), 28-36.

This article focuses on issues and challenges on the community justice movement in the United States. This movement offers a means to bring less formal justice processes to neighborhoods and increase citizen involvement in crime control efforts. These include victim-offender mediation and reconciliation, conflict resolution, family group conferencing, circle sentencing, reparative probation, restitution, community service, and victim services. Creating a form of rehabilitative justice requires extensive research and close examination; it must be meaningful and coherent without ill-defined and overly ambiguous categories.

Barnett, Randy E. Restitution: A new paradigm of criminal justice. 279-301.

Barnett explains that punishment is the old view of criminal justice and that restitution should be adopted to change the system. Restitution views crime as an offense by one individual against the rights of another (p.287), so a shift in our image of crime is necessary; now the victim is an individual, not society as a whole. Restitution provides some tangible compensation for personal injury, while punishment does not provide any. This idea would also decrease taxes, making individuals more likely to support this system. The goal isn't suppression of crime, but justice to victims.

Bazemore, Gordon. (1998). Restorative justice and earned redemption. *American Behavioral Scientist*, 41(6), 768-813.

The author provides a comprehensive discussion of the roots of the new reintegrative and restorative justice theories as well as the success of current, preliminary applications of these theories. Arguing that the traditional and opposing theories of the retributive paradigm and the treatment model offer only a simplistic choice between helping or hurting offenders, the authors contends that these systems fail to address adequately the needs of communities and victims. In place of these two paradigms, he suggests a new model that he terms reintegrative or restorative justice. This new theory, based on specific cultural approaches to crime found in New Zealand, Japan, and elsewhere, seeks to address the needs of communities and victims through apology and reparation, a process that hopefully leads to the reintegration of offenders into society.

Bazemore, Gordon, & Umbreit, Mark. (1999). *Conferences, circles, boards, and mediations: Restorative justice and citizen involvement in the response to youth crime*. University of Minnesota Center for Restorative Justice & Peacemaking.

Balanced and Restorative Justice (BARJ) is a new framework for juvenile justice reform which seeks to engage citizens and community groups both as clients of juvenile justice services and as resources in a more effective response to youth crime. To do this, the Balanced Act mission attempts to ensure that juvenile justice intervention is focused on basic community needs and expectations. Communities expect justice systems to improve public safety, sanction juvenile crime, and rehabilitate and reintegrate offenders. True balance is achieved when juvenile justice professionals consider all three of these needs and goals in each case and when a juvenile justice system allocates its resources equally toward meeting each need.

Benedictus, David, & Wood, Laura. (2002). Local government partnerships help integrate the victim offender mediation program in Clark County, Washington. *Connections*, 10, 1-10.

Beginning in 1999, the Clark County Juvenile Court and the City of Vancouver police department blended funding from federal Juvenile Accountability Incentive Block Grants to establish a victim-offender mediation (VOM) program. Referrals to VOM can be cases that have been adjudicated, deferred, diverted, or cases where no charges will be filed. Suitable offenders that have committed crimes such as, but not limited to, assault, burglary, animal cruelty, vandalism, theft, were referred to the program. Overall, the program has been considered a success.

Gerkin, Patrick. (2009). Participation in victim-offender mediation: Lessons learned from observations. *Criminal Justice Review*, 34(2), 226-247.

Victim—offender mediation has grown to establish itself among criminal justice practices as an alternative to traditionally retributive notions of justice. As the number of programs claiming to be restorative in nature continues to grow, victim—offender mediation programs are emerging as one of the state's preferred delivery methods for restorative justice. Restorative practices, including victim—offender mediation, are inclusive practices. Participation is not only encouraged, it is a necessary element for victim—offender mediation to achieve restorative outcomes. Through the use of observations and content analysis of agreements produced in victim—offender mediation, this research uncovers several impediments to individual participation, including problems in the implementation of restorative practices; participant domination, including victim lecturing; and a lack of awareness among the participants about the restorative vision of justice.

Herman, Susan, & Wasserman, Cressida. (2001). A role for victims in the offender reentry. *Crime & Delinquency*, 47(3), 428-445.

The current scale of offender reentry creates unprecedented challenges for those, including victims, who have an interest in the successfully reintegration of offenders into the community. Current problem-solving approaches emphasize the need for continuity between in-custody and post-release programs and the importance of partnerships and collaborations in supervision and support for offenders. These developments offer increasing opportunities to victims and victims organizations because their experience and knowledge are often directly relevant to reentry issues. Increased victim involvement in the planning, management, and implementation of reentry policies and programs can contribute positively to better informed decisions and the achievement of reentry goals.

Hughes, Stella P., & Schneider, Anne L. (1989). Victim-offender mediation: A survey of program characteristics and perceptions of effectiveness. *Crime & Delinquency*, 35(2), 217-233.

Victim-offender mediation as a dispositional alternative is a fairly recent addition to the juvenile justice system. The number of mediation programs has been increasing during the past decade, but little is evident about the design and implementation of these programs. This article reports findings from a survey of 240 juvenile organizations in the United States. Program designs, goals, and perceptions of effectiveness are discussed.

Latimer, Jeff, Dowden, Craig, & Muise, Danielle. (2005). The effectiveness of restorative justice practices: A meta-analysis. *The Prison Journal*, 85(2), 127-144.

This article provides an empirical synthesis of the existing literature on the effectiveness of restorative justice practices using meta-analytic techniques. The data were aggregated from studies that compared restorative justice programs to traditional non-restorative approaches to criminal behavior. Victim and offender satisfaction, restitution compliance, and recidivism were selected as appropriate outcomes to adequately measure effectiveness. Although restorative programs were found to be significantly more effective, these positive findings are tempered by an important self-selection bias inherent in restorative justice research. A possible method of addressing this problem, as well as directions for future research, is provided.

McGarrell, Edmund F. (2001). Restorative justice conferences as an early response to young offenders. *Juvenile Justice Bulletin*, U.S. Department of Justice, Office of Justice Programs, 1-12.

Youths who become involved in the juvenile justice system at an early age are significantly more likely to continue offending than their older counterparts. Early offenders pose special challenges, but restorative justice offers unique benefits. Restorative justice is expected to address emotional needs and tangible losses for victims and hold youth accountable for misdeeds more effectively than traditional juvenile court systems. Two control groups were used, one using restorative justice and the other a typical juvenile court method. Respondents were significantly more satisfied with restorative justice than other methods. This research implied that restorative justice conferences can be successfully implemented in an urban U.S. setting.

Newell, Tim. (2007). Face to face with violence and its effects: Restorative justice practice at work. *Probation Journal*, 54(3), 227-238.

Restorative justice is developing organically within the criminal justice system and although initially considered most applicable to young offenders and with less serious offences, there is increasing evidence that it is with more serious offending that there is considerable impact and particularly with offences of violence. Restorative processes are considered in the context of increasing concern about violence in society and in prisons. The author's experience of governing prisons gives him a perspective about violence from within the setting in which the most violent and dangerous people in our society are held. David's story, which is part of the

article, gives an illustration of how therapeutic work with people who have been violent can be done in a custodial setting where there is time to focus on the needs of all involved and affected by a violent crime.

Nugent, William R., Williams, Mona, & Umbreit, Mark S. (2004). Participation in victim-offender mediation and the prevalence of subsequent delinquent behavior: A meta-analysis. *Research on Social Work Practice, 14*(6), 408-416.

This article reports the results of a meta-analytic study of the relationship between participation in victim-offender mediation (VOM) and the prevalence of subsequent delinquent behavior. Analyses were conducted with the results of 15 studies, conducted at 19 different sites, with a sample of 9,307 juveniles. The results suggested that methodological factors explained all the significant variation across sites and studies in the magnitude of the difference between non-VOM and VOM groups in their reoffense prevalence. The odds of VOM participants were only about .70 as great as the odds of nonparticipants reoffending. The results support the efforts of social workers to advocate for, develop, and participate in VOM programs.

Presser, Lois, & Van Voorhis, Patricia. (2002). Values and evaluation: Assessing processes and outcomes of restorative justice programs. *Crime & Delinquency, 48*(1), 162-188.

Increased interest in the restorative justice programs is accompanied by concern for whether they work and through what basic processes. Yet the task of evaluating restorative justice programs is a daunting one because they are so diverse, pursuing unique and multiple objectives. Restorative justice is guided by values that emphasize healing and social well-being of those affected by crime. These values must guide program evaluation. The authors explore ways to conceptualize and measure program inputs and outputs for the purpose of assessing both processes and outcomes of restorative justice programs.

Rodriguez, Nancy. (2007). Restorative justice at work: Examining the impact of restorative justice resolutions on juvenile recidivism. *Crime and Delinquency, 53*(3), 355-379.

Programs with restorative justice ideals attempt to incorporate victims and community members into the administration of justice. Although these programs have become increasingly popular, only a few programs in the United States have been the focus of prior studies. Using official juvenile court data from an urban, metropolitan area, this study finds that juveniles who participated in a restorative justice program were less likely to recidivate than juveniles in a comparison group.

Also, gender and prior offenses indirectly influence recidivism in important ways. Girls and offenders with minimal criminal history records exhibit the most success from participating in such programs. Findings demonstrate the importance of examining additive and interactive effects in restorative justice research.

Rytterbro, Lise-Lotte. (2003). Victim and offender viewed from the perspective of mediation. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 4, 101-122.

The objective of this article is to show how victims and perpetrators are constructed within the context of mediation, and how these constructions both affect and are affected by the crime policy discourse. Mediation involves victim and offender meeting and talking about the crime, and coming to an agreement as to how the offender is to make amends to the victim in some way. The data are comprised of written and oral descriptions of the target groups for mediation, and of quantitative data on the victims and perpetrators who usually comprise the parties in mediation cases in Sweden and Norway. The offenders regarded as suitable for, and who also tend to participate in mediation, comprise a category of individuals usually referred to as young first-time offenders. Thus, when offenders deemed suitable for mediation are described, they are primarily characterized by reference to their age, the seriousness of the offence and the number of offences committed. The crime victims deemed suitable for mediation are chosen on the basis on whom the offence was committed by, rather than by reference to the victim's age and/or how many times they have been exposed to crime: If the offence was committed by children or youths and was not of a type deemed too serious, then those victimized by the offence are regarded as suitable victims for mediation.

Seyko, Ronald J. (2001). Balanced Approach and Restorative Justice Efforts in Allegheny County, Pennsylvania. *The Prison Journal*, 81(2), 187-205.

On November 17, 1995, the governor of Pennsylvania signed into law Special Session Act 33 of 1995, which redefined the purpose of Pennsylvania's juvenile justice system to incorporate the principles of the Balanced Approach and Restorative Justice (BARJ) philosophy. This article describes the genesis of the new law, explains the BARJ model, and illustrates the effect that the law is having on the juvenile court system in Allegheny County. The article specifically focuses on the numerous projects that the Allegheny County juvenile probation department has instituted to meet the BARJ obligation.

Schneider, Anne L. (1986). Restitution and recidivism rates of juvenile offenders: Results from four experimental studies. *Criminology*, 24(3), 533-552.

One of the major changes in juvenile justice during the past decade has been the increased reliance on restitution as a sanction for juvenile offenders. Although a great deal has been learned during the past 10 years about the operation of restitution programs, much remains unknown regarding its impact on recidivism rates. This report contains the results from four random-assignment experiments conducted simultaneously in four communities: Boise, Idaho, Washington, D.C., Clayton County, Georgia, and Oklahoma County, Oklahoma. In all four studies, youths were randomly assigned into restitution and into traditional dispositions. On the whole, the results show that restitution may have a small but important effect on recidivism. However, not all programs will be able to achieve this effect, either because of program management and strategy, community circumstances, or other factors. Youths in the restitution groups never had higher recidivism rates than those in probation or detention conditions. In two of the four studies, the juveniles in restitution clearly had fewer subsequent recontacts with the court during the two-to-three-year follow-up.

Sudipto, Roy. (1993). Two types of juvenile restitution programs in two Midwestern counties: A comparative study. *Federal Probation*, 57(4), 48-56.

This article compares the effectiveness of two juvenile restitution programs: a Victim Offender Reconciliation Project in Elkhart County, Indiana, and a court based program in Kalamazoo, Michigan. Data were collected from 114 juveniles in Elkhart and 109 juveniles in Kalamazoo. 76 percent of the subjects in the Elkhart sample and 78 percent of the juveniles in the Kalamazoo sample successfully completed their restitution contracts. The study revealed that there was no significant difference in successful completion of restitution contracts between the participants in the two programs.

Umbreit, Mark S. (1993). How to increase referrals to victim-offender mediation programs. *Fund for Dispute Resolution*.

A report describes an assertive process of negotiating in victim-offender reconciliation. Strategies are presented for increasing the number of case referrals received from criminal justice agencies, and enhancing the support and involvement of criminal justice officials in mediation programs.

Umbreit, Mark S. (1993). Juvenile offenders meet their victims: The impact of mediation in Albuquerque, New Mexico. *Family and Conciliation Courts Review*, 31(1), 90-100.

The process of allowing certain victims of crime to confront their juvenile offender in the presence of a mediator both to talk about the event and negotiate a plan for compensating the victim is developing in a growing number of communities throughout the United States. A study evaluates the impact of the offender mediation program in Albuquerque, New Mexico. It is based on interviews with 206 victims of juvenile offenders in Albuquerque, as well as interviews with court officials and program staff. This represents a strong court and community partnership. Victims and offenders who participated in mediation indicated high levels of satisfaction with both the process and outcomes of mediation. Victims who were involved in mediation, particularly, were considerably more likely to indicate satisfaction with the way in which the juvenile justice system handled their case than were those victims who were never even offered the mediation program. Offenders who negotiated their restitution obligation with the victim were more likely to actually complete restitution, when compared to offenders whose restitution was ordered with no mediation program involvement.

Umbreit, Mark S. (1998). Restorative justice through victim-offender mediation: A multi-site assessment. *Western Criminology Review*, 1(1), 1-27.

The relatively new and emerging practice theory of restorative justice emphasizes the need to provide opportunities for those most directly affected by crime (victims, communities, and offenders) to be directly involved in responding to the impact of crime and restoring the losses incurred by victims. Victim-offender mediation, a process which allows crime victims to meet face-to-face with the offender to talk about the impact of the crime and to develop a restitution plan, is the oldest and most empirically grounded restorative justice intervention. This article reports on a study of victim-offender mediation in four sites with juvenile offenders and their victims, along with related studies. High levels of victim and offender satisfaction with the mediation process have been found, along with high successful restitution completion rates and reduced fear among crime victims.

Umbreit, Mark S., & Bradshaw, William. (1997). Victim experience of meeting adult vs. juvenile offenders: A cross-national comparison. *Federal Probation*, 61(4), 33-39.

The article examines the impact of victim-offender mediation on crime victims and whether there is a differential impact upon victims who meet with adult offenders versus juvenile offenders. It explains that victim-offender mediation is different from other types of mediation, in that it is primarily dialogue driven. While many victim-offender mediation programs continue to be administered by private community-

based agencies, an increasing number of probation departments are developing programs, usually in conjunction with trained community volunteers who serve as mediators. The article measures the victim satisfaction and attitudes toward victim-offender mediation based on participation in a mediation session with either adult or juvenile offenders. Victims reported moderately high levels of satisfaction with the justice system and victim-offender mediation. The finding that victim satisfaction with the mediation process and outcome varies little in relationship to whether the offender was a juvenile or an adult is consistent with several studies of juvenile programs in North America.

Umbreit, Mark S., & Coates, Robert B. (1993). Cross-site analysis of victim offender mediation in four states. *Crime & Delinquency*, 39(4), 565-585.

This article reports on the first cross-site analysis of victim-offender mediation programs in the United States, working on juvenile courts in Albuquerque, Austin, Minneapolis, and Oakland. A total of 1,153 interviews were conducted with victims and offenders. These preclude pre- and post-mediation interviews and the use of two comparison groups. Court officials were interviewed and 28 observations of mediations were conducted. The vast majority of victims and offenders experienced the mediation process and outcome as fair and were quite satisfied with it. Mediation resulted in significantly greater satisfaction and perceptions of fairness for victims, as well as significantly higher restitution completion by offenders, than found in comparison groups. Some implications for juvenile justice policy are offered.

Umbreit, Mark S., Coates, Robert B., & Vos, Betty. (2001). The impact of victim-offender mediation: Two decades of research. *Federal Probation*, 65(3), 29-35.

The authors give an overview of empirical studies designed to assess the growth, implementation, and impact of victim-offender mediation programs is based on a review of 38 evaluation reports. These studies have taken place in 14 states and the District of Columbia, four Canadian provinces as well as in England, Scotland, and New Zealand. These studies address questions of consumer satisfaction with the program and the criminal justice system, victim-offender mediation as a means for determining and obtaining restitution, victim-offender mediating as diversion from further penetration into the system, and the relationship between victim-offender mediation to further delinquency or criminality. This article also focuses on the consequences of victim-offender mediation over the past 20 years. These consequences are 1) client satisfaction, 2) client perception of fairness, 3) restitution, 4) diversion, 5) recidivism, 6) costs, and 7) VOM and crimes of violence.