

Vermont Reparative Probation
Year 2000 Outcome Evaluation
Final Report

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David R. Karp, Ph.D.
Department of Sociology
Skidmore College
Saratoga Springs NY 12866
518-580-5426
dkarp@skidmore.edu

Mary Sprayregen
Skidmore College

Kevin M. Drakulich
University of Washington

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INTRODUCTION

The Vermont Department of Corrections Reparative Probation Program began in 1995. In 1999, the program received the Ford Foundation's Innovations in Government Award. Since its inception literally hundreds of community board programs have been launched across the country (Bazemore et al. 2001), including boards for juvenile offenders administered by the Vermont Department of Social and Rehabilitation Services. Although several evaluations of restorative justice programs have been published in the U.S. and abroad, this is the first formal independent evaluation of outcomes of a probation-based community board model and of Vermont reparative probation in particular.

Reparative probation can be summarized as follows. Upon conviction of a minor offense, burglary or drunk driving for example, the judge will sentence the offender to probation with the condition that he or she appears before a local reparative board. A board composed of trained citizen volunteers convenes with the offender and attempts to work out a solution to the problem created by the offense. Victims and other affected parties (such as parents of a youthful offender) are invited to attend. Board meetings vary in length, but average between 35-40 minutes. The outcome of the meeting is a negotiated agreement, signed by the offender, specifying a set of tasks to be accomplished during a 90-day probationary period. Typically, offenders will return to the board for a mid-term review and a final closure meeting before discharge. Offenders who fail to comply are in violation of probation and returned to the court.

The board members seek to accomplish four goals with the offender. First, they wish to engage the offender in tasks that will help him or her better understand the harmful consequences of the crime on victims and the community. This may entail asking the offender to listen to the victim's account or to the reactions of victims of similar offenses. It may mean asking the offender to write an essay describing the harm that was done. Second, the board seeks to identify ways the offender can repair the harm to victims. Third, they try to engage the offender in making amends to the community. Restitution to the victim, community service, and letters of apology may be required. Fourth, the board works with the offender to find a strategy to reduce the likelihood of re-offending. This might include a wide variety of educational and counseling opportunities.

The typical board meeting is held in an informal conference room in a town hall, public library, or probation office. Boards vary in their formality, but all are much less formal than the courtroom setting. Meetings begin with introductions, proceed through a general review of the incident, and become task-oriented as they strategize over terms of the agreement. Some boards ask the offender to leave the meeting so that board members can have a short period of private deliberation. Lengthier descriptions of program features can be found in Dooley (1996); Karp (2002); Karp and Walther (2001); Perry and Gorczyk (1997); and Walther and Perry (1997).

METHODOLOGY

Objective

This study evaluates the effectiveness of Reparative Probation in realizing identified program goals. This study does *not* provide comparative results between program participants and a control group, such as cases in a traditional probation program. Wherever possible, results are compared with those found in other restorative justice programs.

Identifying Program Goals

This evaluation was developed by the evaluation team in close collaboration with Vermont Department of Corrections (VDOC) staff, especially Jim Spinelli, Steve Likwar, Tim Workman, and Sandra Olberg. Collectively, we developed a list of theoretical outcomes that program staff believed to be central goals of the program. This process of outcome identification is in keeping with the philosophy of participant driven evaluation (Bazemore and Stinchcomb 2000).

In this study, four outcomes are evaluated. Each is characterized by a set of “outcome dimensions.” These are defined as an outcome’s core conceptual components. Table 1 identifies the four outcomes.

Table 1: Vermont Reparative Probation Outcome Dimensions

	Communities are Involved	Victims’ Needs Are Addressed	Communities are Restored	Offenders Are Responsible
Outcome Dimensions	<ul style="list-style-type: none"> ☛ Community has authority in decision-making ☛ Offenders and Supporters Participate ☛ Victims and Supporters participate ☛ Community Volunteers Participate 	<ul style="list-style-type: none"> ☛ Victims’ needs are addressed adequately by the reparative process 	<ul style="list-style-type: none"> ☛ Community harm is repaired ☛ Community is satisfied 	<ul style="list-style-type: none"> ☛ Offenders understand impact ☛ Offenders acknowledge responsibility ☛ Offenders make amends ☛ Offenders build social ties ☛ Offenders are law-abiding

Sample

We evaluate a sample of reparative cases that terminated in the year 2000. Termination may occur because the offender has successfully completed probation or committed a violation that returns him or her to court. These cases may have begun earlier, i.e., in 1999, but must have finished by the end of 2000. Since VDOC data collection procedures have evolved and improved since the beginning of the program, as have training procedures for board members, we focused attention on a recent set of cases. Focusing on year 2000 cases also enables us to examine recidivism data for one year following termination.

In 2000, 1,902 cases were terminated. Of these, 379 cases involved “deferred sentences” where all paperwork was destroyed after termination. All deferred cases were eliminated from our study (thus, n=1523), and we make no inferences about this subgroup of reparative probationers. Based on an estimate for adequate statistical power, we extracted a random sample of 205 cases for study. One of these cases, upon close analysis was discovered to have been misclassified as a reparative case and was deleted from the sample. In two other pairs of cases, the same offender was listed twice, so they were combined, yielding a sample of 202 cases.¹ In addition, because restorative justice is especially interested in victim participation, we included all 43 cases in which VDOC records indicated that victims had attended the board hearing. The final sample is composed of 245 cases.²

Data Collection

Data collection involved four separate efforts: (1) data retrieval from administrative databases and administrative personnel interviews; (2) a content analysis of case files, (3) a victim survey, and (4) a community service site survey. Tables 2-5 summarize data sources for this evaluation. In addition, the tables define how each outcome dimension is subdivided into “outcome measures.” These are operational definitions specifying how each conceptual dimension is measured in this study.

¹ On both occasions, the offender had committed two separate offenses prior to the board meeting, and the board addressed both at one meeting.

² Technically, this sample is a disproportionate stratified sample composed of two subgroups: a complete representation of cases with participating victims and a random sample (13%) of all other cases. In order to generalize from this sample to the sampling universe, cases are weighted to offset any bias from the victim oversample. All results reported are based on the weighted sample.

Table 2: Outcome #1—Communities are Involved

Outcome Dimensions	Outcome Measures	Data Source
Community Decision-Making Authority	Decision-making authority of board members	Program design documents
	Diversity of volunteer roles	Program staff Volunteer database
Victim Participation	Victims participated in the hearing	Reparative database Victim telephone survey
	Victims gave statement to be presented at hearing	Victim telephone survey
Community Volunteer Participation	# of board members increased over previous year	Volunteer database
	# of hours board members contribute increased over previous year	Volunteer database
	# of hours other volunteers contribute increased over previous year	Volunteer database
	# of boards increased over previous year	Program staff
	# of communities that have boards increased over previous year	Program staff
	Board membership is representative of the community	Board survey (Karp et al. 2002)

Table 3: Outcome #2—Victims’ Needs Are Addressed

Outcome Dimensions	Outcome Measures	Data Source
Victim Restoration	Victims’ needs are addressed in a timely manner: time between sentencing, board hearing, and contract termination	Reparative database
	Victims’ emotional needs were addressed	Case files (apologies)
	Victims’ material needs were addressed	Case files Restitution database
	Victims indicate their needs were addressed	Victim telephone survey

Table 4: Outcome #3—Communities are Restored

Outcome Dimensions	Outcome Measures	Data Source
Community harm is repaired	% of offenders completing community service	Reparative database
	Amount of community service (# of hours)	Reparative database
	Service is linked to offense	Case files (reparative contracts)
	Service is completed in town where offense occurred	Case files (reparative contracts)
	Donation is made to community agency	Case files (reparative contracts)
Community is satisfied	Community sites which receive community work service from reparative offenders are satisfied with the work performed	Community service site telephone survey
	Board members express satisfaction with their involvement in the program	Board survey (Karp et al. 2002)
	Vermonters are aware of program and support it	Citizen survey (Doble 2000)

Table 5: Outcome #4—Offenders Are Responsible

Outcome Dimensions	Outcome Measures	Data Source
Offenders Understand Impact	% of offenders assigned contract tasks that deepen offender understanding of impact	Case files (reparative contracts)
	Victims' evaluation of offender understanding	Victim telephone survey
	Board members evaluation of offender understanding	Board survey (Karp et al. 2002)
Offenders Made Amends	Offenders complete reparative probation	Reparative database
Offenders Build Social Ties	% of offenders assigned contract tasks that develop competencies	Case files (reparative contracts)
Offenders are Law Abiding	Offenders do not commit probation violations	Reparative database
	Ex-offenders do not commit new crimes	Court data

Administrative Databases. The Reparative Database contains records for every offender sentenced to reparative probation. These data are input by Corrections Service Specialists (probation officers) who serve as case managers. This database not only provides quantitative information, but also case notes that overlap with data found in paper case files. In addition to downloading relevant variables, wherever possible, the evaluation team crosschecked computer records with case files and corrected erroneous information. The Volunteer Database provides information on board membership; such as how many individuals are volunteering and how many hours they have served. The Court Database provides information on recidivism. The Restitution Database provides information on court-ordered restitution, including the amount required and payments made.

Case Files. Case files are located at local Court and Reparative Services Unit offices across the state. The evaluation team visited each of these offices and photocopied the case files for all of the sample cases. Of the 245 cases, 26 files (11%) were missing from the CRSU offices. The following offices were missing files: Burlington (8); St. Albans (6); Barre (5); White River (3); Brattleboro (2); Rutland (1); and St. Johnsbury (1). Again, where paper files were missing or incomplete, wherever possible overlapping data were drawn from administrative databases and surveys. Case file data were coded using the form found in Appendix 4.

Victim Survey. Victims were interviewed by telephone. The victim survey was designed to collect simple, critical information rather than an in-depth study of the victim experience with reparative probation. Whenever victims had questions about the program or the case that the evaluator could not answer (or was inappropriate for the evaluator to answer), the evaluator contacted VDOC so that staff could follow up with the victim.

Other studies provide more comprehensive instruments (e.g., see Daly et al. 1998). The survey questionnaire used in this study is found in Appendix 5. In our sample, 90 cases were identified as having “direct victims” in the Reparative Database and case file analyses.³ Although VDOC is also concerned with “affected parties”—individuals not typically considered victims such as a family member inconvenienced by the offender’s loss of a license due to drunk driving—data collected for these were found to be inadequate to report in this evaluation. Of the 90 victims, 46 completed the victim survey. This is a response rate of 51%. Although the evaluation team attempted to retrieve missing information wherever possible, 27 victims could not be contacted because case files were incomplete, inaccurate, or outdated.⁴ An additional five victims could not be reached after at least ten attempts by telephone. Twelve were contacted, but declined to participate. Of those who refused, three were individuals who explained that they did not have the time to participate, the crime happened too long ago to recall details, or it was an insignificant event. The rest of the victims (9) who declined participation were large retail stores, and store contacts had no knowledge of the crime (shoplifting) or the reparative probation program.

Community Service Site Survey. Few studies have examined the quality of offender community service work (but see Caputo 1999; McIvor 1993a; 1993b). For each offender assigned community service, we identified information about their placement and conducted a telephone survey of service sites. The survey questionnaire is found in Appendix 5. We were able to complete 82 service surveys for the 158 offenders that completed community service. This is a response rate of 52%. This low response rate is primarily a result of inadequate service site information. The most common problem faced by the evaluators was that service hours were recorded, but the placement was not identified in the case files. Fifteen sites could not be contacted despite several attempts by telephone. Finally, contacts at a few sites listed were unaware of the program, and claimed not to have put probationers to work.

Data Limitations

The primary limitation of these data is that they provide no control group against which comparisons are made. It was not feasible to conduct a study using an experimental design because this would require that probationers be randomly assigned (by judges) to reparative probation or to an alternative probationary sanction that serves as the control group. Another study is underway to study reparative probation using Vermont traditional probation, New Hampshire traditional probationers, and Maine traditional probationers as comparison groups (Humphrey and Burford 2001). These data, therefore, can best be understood as a baseline description of programmatic outcomes. These data may be compared to results for other years, as well as to other programs. Where possible, we summarize findings from other restorative justice programs, but because these studies were conducted independently, any direct comparisons should be interpreted cautiously.

³ A few cases had multiple victims. In these cases, we chose one at random to complete the survey.

⁴ We discovered many of the files had incomplete victim information, and had to gather data by using telephone books, directory assistance, and online telephone directories.

RESULTS

Below we report the results, organizing them by the four outcome dimensions. Table 6 provides some preliminary general information about the offenders in the sample. In brief, it shows that probationers are young (71% are between 18-35), male (74%), white (98%), less-educated (82% have a high school degree only or less), and committed less serious offenses, predominately having to do with drinking, driving or both (73%).

Table 6. Reparative Offender Information compared with Vermont Population

	<i>Reparative Probationers (percent)*</i>	<i>VT Census 2000⁵ (percent)</i>
Age		
18-25	54	14***
26-35	17	12
36-45	15	17
46-55	11	15
56-65	3	9
Sex		
Male	74	49
Female	26	51
Race		
White	98	97
Non-white	2	3
Education		
< High School	37	18
High School	45	57
College	15	16
Some Graduate/Professional	3	9
Offenses**		
DWI	32	
Misc. Drinking Offense	22	
Misc. Driving Offense	19	
Theft/Fraud	12	
Harassment/Assault/Disorderly	6	
Mischief/Trespass	4	
Drug Possession	3	
Other	2	

* With rounding, percentages do not always add to 100.

**Reports first and most serious offense only in cases with multiple charges.

***Ages 15-25

⁵ <http://www.census.gov/main/www/cen2000.html>

Outcome #1—Communities are Involved

Results for this outcome are summarized in Table 7.

Table 7: Outcome #1—Communities are Involved

Outcome Dimensions	Outcome Measures	Summary Findings	
Community Decision-Making Authority	Decision-making authority of board members	According to program design, and in distinction with other probation program and other probation volunteer programs, Reparative Board members have a <i>high</i> level of decision-making authority.	
	Diversity of volunteer roles	Board member Victim liaison Victim impact panel coordinator Community service coordinator Intake assistant Caseworker assistant	
Community Volunteer Participation	# of board members increased over previous year	Year end total = 293 board members	+74
	# of hours board members contribute increased over previous year	Year end total = 22,018 hours	+4365
	# of hours other volunteers contribute increased over previous year	Year end total = 1610 hours	+918
	# of boards increased over previous year	Year end total = 49 boards	+11
	# of communities that have boards increased over previous year		+10
	Board membership is representative of the community	According to the Karp et al. (2002) board member survey, board members are highly representative of the Vermont community in terms of sex, race, and income. They are diverse in religiosity and political orientation. Compared to the average Vermonter, board members tend to be older, better educated, and to have lived in their communities for longer.	
Victim Participation	Victims participated in the board meeting	Cases with direct victims Participation in meeting (% of cases with victims)	47% 9%
	Victims gave statement to be presented at board meeting	Submitted victim impact statement	11%

Community Decision-Making Authority. Under the community justice model, a partnership is formed between the justice system and the local community. “The justice system follows community leadership while monitoring community process” (Pranis 1998: 42). Thus, citizens are actively involved in core decision-making. The citizen role in reparative probation is unique among probation volunteer programs. Typically, volunteers serve as one-to-one mentors, but have no authority over sanctions (Shields et al. 1983). In Vermont, volunteers have parameters, just as judges have sentencing guidelines, but their decisions about the reparative contract are not subject to approval by the court.⁶

In addition to the authority of board members in negotiating reparative contracts, an indirect measure of their decision-making authority is the variety of ways volunteers can serve the program. The primary role for board members is to sit on boards, meeting with offenders and victims, and negotiating contracts. Most volunteers serve in this capacity. In addition, we find several other programmatic roles for volunteers. They serve as victim liaisons, in charge of contacting victims and ushering them through the process. They serve as victim impact panel coordinators, community service coordinators, intake assistants, and caseworker assistants.

Community Volunteer Participation. Board member participation is a central feature of reparative probation. Although program record-keeping in this area was often incomplete, we find the following information about volunteer participation. On January 1, 2000, 219 board members volunteered for the program. By the end of the calendar year, this number had grown to 293. Including volunteers in other roles, the total number of volunteers in the year 2000 increases to 320 (See Figure 1). These volunteers contributed 23,628 hours to the program over the course of the year.

⁶ In one area, restitution, the court is mandated by statute to define the amount. Thus restitution orders come to the board pre-determined. However, boards can make changes to the order, subject to judicial review.

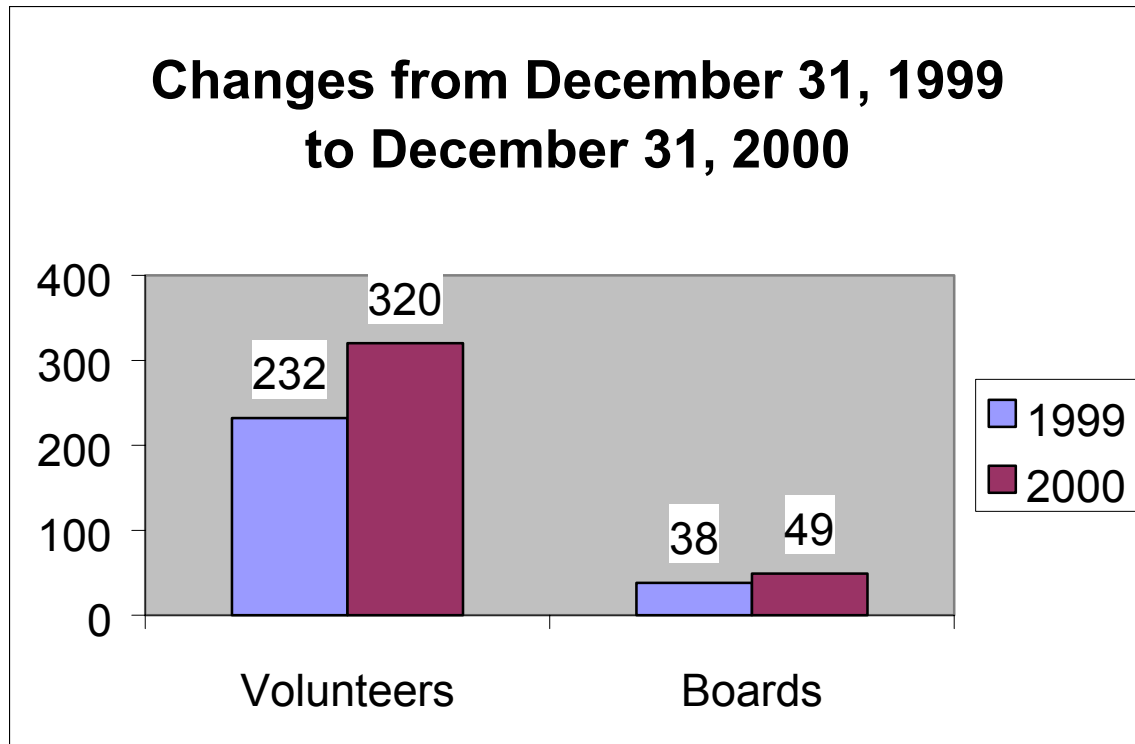


Figure 1. Volunteer Growth.

In a separate study by Karp, Bazemore, and Chesire (2002), a survey of board members was conducted to ascertain demographic and attitudinal information. Results from that survey indicate that board members are highly representative of the community, but also differ in important ways. Board members are approximately equally divided between men and women, and like Vermonters more generally, are drawn from a variety of income levels, religious persuasion (including none), and political orientation. Board members are largely white, as is the Vermont population. In contrast, board members tend to be older, with many retirees serving, better educated, and to have lived in their communities for longer than the average Vermonter. Some of this variation is unsurprising—retirees are a natural pool for recruitment—but it is worth noting that the social distance between the average board member (as well as the average Vermonter) and the offenders that appear before the board is quite large. Only 14% of board members are under age 40, but 80% of reparative probationers are that young. 45% of board members are male, but 74% of the probationers are male. 73% of board members have a college or post-graduate degree, but only 18% of probationers are that highly educated.

At the beginning of 2000, 38 boards served all jurisdictions in Vermont. As the program gains more referrals, and as volunteer participation increases, boards subdivide to handle cases in more localized settings. Over the course of 2000, 11 more boards were formed, serving ten more communities (see Figure 1).

Victim Participation. 47% of cases had victims; many are victimless, such as underage drinking or drunk driving (without an accident). *Of cases with victims, 9% participated in*

the board meetings. An additional 11% gave a statement to be presented at the meeting. Combining both measures, we find a participation rate of 20% (see Figure 2).

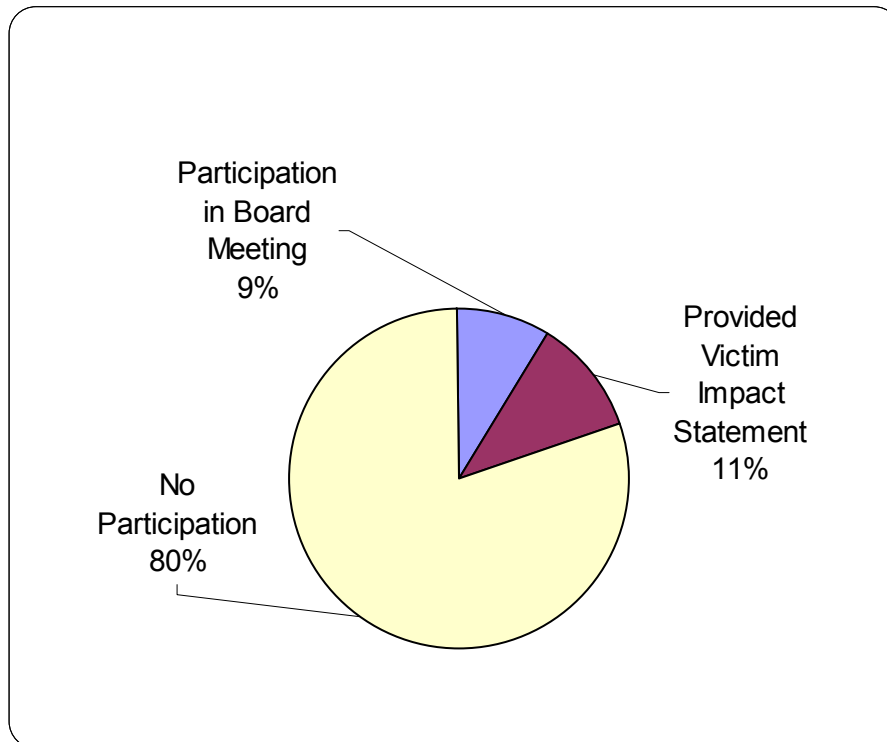


Figure 2. Victim Participation

This evaluation is not designed to analyze why victims participate or fail to participate in the program. However, that 80% of victims fail to participate is a troubling finding. Our data offer some insight into only two of several possible explanations. First, many are simply not contacted by VDOC. Second, many are commercial victims of shoplifting and have little interest in participation. The second is understandable; the first requires remediation. VDOC records indicate that 14% of Year 2000 cases had victims, whereas our own analysis of police reports indicates that 47% cases had victims. Thus, we find that many reparative cases had victims that were not identified by program staff or volunteers. *Of 1523 cases terminated in 2000, we estimate that 503 cases (33%) had victims that VDOC failed to identify and contact in any way.*⁷ Among those victims we surveyed, several indicated that they had not heard of the program and would have participated had they been invited.

Participation rates vary tremendously in other studies of restorative justice programs. In general, participation is a function of offense type (kinds of cases; severity of cases) and recruitment efforts. In conferencing and mediation programs, victim participation is necessary by definition, although sometimes conferences will proceed with victim surrogates. Boards tend to be much more offender driven, and recruitment of victims is less of a programmatic necessity. Instead recruitment is driven by philosophical

⁷ It is possible that case managers did identify and contact some of these victims, but failed to record this in official records.

commitment. Thus, we find comparatively high victim participation rates in conferencing and mediation programs. For example, Trimboli (2000) found a rate of 73% for youth conferencing in Australia and McCold and Wachtel (1998) found a rate of 67% for youth conferencing in Pennsylvania. Strang et al. (1999) observed a rate of 61% for violent crime youth conferencing cases and 57% for property crime youth conferencing. Regarding victim-offender mediation, Dignan (1992) reports a participation rate of 40%. Perhaps, the most suitable comparisons for Vermont are Winnipeg's Restorative Resolutions program and the New Zealand diversion boards because they not conferencing/mediation models. In Winnipeg, a probation officer crafts a reparative contract for the offender, and similarly invites victim input. However, there is no citizen board in this program. Bonta et al. (1998) found a 10% face-to-face participation rate, with 79% of the other victims providing an impact statement. In New Zealand, two board programs were evaluated by Maxwell et al. (1999): one European-based, the second Maori-based. They found victim participation rates of 58% and 2% respectively.

Although victim participation in board meetings is low, several steps have been taken by VDOC to address this issue. First, VDOC has provided increased training and guidelines for soliciting victim participation. We recommend that careful attention to victim identification be included in this training. Second, VDOC is expanding the kinds of cases that get referred to boards, in order to increase the number of cases with victims. Thus, they will take higher risk offenders (typically repeat offenders who were previously disqualified from participation and they will take more serious offenders—those who committed offenses of a higher severity. Third, they are seeking to implement “restorative sentencing.” Here, the courts may refer cases to a restorative process before sentencing, so that the process can help determine the sentence. This differs from the current practice of receiving cases only after adjudication. Fourth, VDOC is working closely with Community Justice Centers to increase the number of cases sent to boards through court diversion, bypassing the courts entirely. Finally, VDOC has provided training in conferencing to both staff and volunteers. Several cases have been conferenced successfully as an alternative to board referral, but there is no systematic effort to replace boards with conferencing or to delineate which cases would go to boards and which would go to a conference.

Outcome #2—Victims’ Needs are Addressed

Table 8 provides a summary of results for this outcome.

Table 8: Outcome #2—Victims’ Needs Are Addressed

Outcome Dimensions	Outcome Measures	Summary Findings	
Victim Restoration	Victims’ needs are addressed in a timely manner	Median days from: Sentence to Board Meeting Board Meeting to Termination Sentence to Termination	64 98 177
	Victims’ specific emotional needs were addressed	Victims who attended board: - were satisfied by their participation - felt supported by board - believe offender accepted responsibility Percent of all cases w/apologies Percent of cases with victims w/apologies	82% 99% 60% 18% 67%
	Victims’ specific material needs were addressed	Cases with material harm (overall)* Restitution fully paid** Restitution partially paid Restitution ordered/not paid Restitution not ordered/not paid Cases with restitution (overall)* Restitution fully paid** Restitution partially paid Restitution not paid Mean restitution ordered Range Victims satisfied with restitution	18% 42% 8% 19% 31% 9% 61% 11% 28% \$381 \$37- \$2500 66%
	Victims generally indicate their needs were addressed	Satisfaction with reparative contract Program helped victims feel better Recommend program continue	72% 87% 92%

* Cases with material harm not addressed at the time of board meeting

**8-20 months after termination

Victim Restoration. Meeting the needs of victims are central to the mission of restorative justice programs. In this report, we consider both emotional and material needs of victims, considering objective data relevant to victims and subjective reports by victims about their experience with the program.

One victim concern is having a *timely* response to their needs—how quickly a case is processed, for example, indicates how quickly a victim will receive an apology or restitution. Because of a number of lengthy outliers that skew the mean, we report the median for case processing (see Figure 3). We find that cases have a median of 64 days from court sentence date to board meeting. In other words, half of the cases took less than two months to move from sentencing day to appearance before the board. Half of the cases took longer than two months. The median number of days from board meeting to program discharge is 98 days. Although this is close to the target of 90 days, we find that

half the cases take longer than 98 days. Combined, it takes a case more than five months to move through reparative probation. From a victim’s perspective, this is in addition to the time it takes to move from arrest to sentencing.

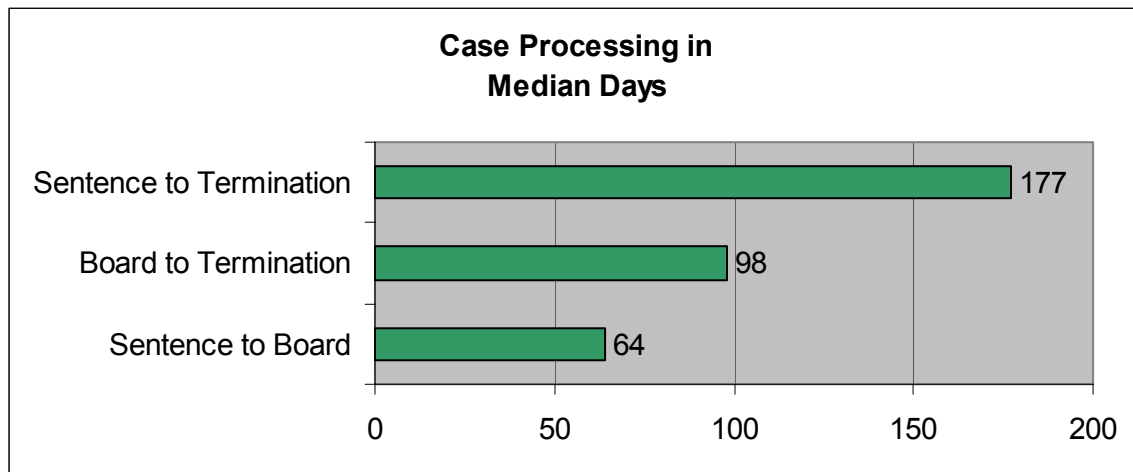


Figure 3: Timeliness of Cases

Other studies that report on the timeliness of case processing are based on diversionary conferencing, where the time is obviously reduced by bypassing the court system (McCold and Wachtel 1998; Strang et al. 1999). Even so, where the time of referral to conference is measured, we find a mean that is shorter than in reparative probation. For example, Trimboli (2000: p.62) found a mean of 40 days from referral to conference date, compared with the median of 64 days in reparative probation.

A second victim concern regards their *participation* in the process. The survey data reveal a number of comments by victims indicating that they would have participated in the board meeting, but were never informed about it. Of those that did participate, however, satisfaction was quite high. 82% were either somewhat (5%) or very satisfied (77%) with their level of participation.⁸ 18% were somewhat dissatisfied. Comments associated with this dissatisfaction always referred to the behavior of the offender during the meeting, such as him or her “not getting it,” “just giving lip service,” or “the offender wasn’t sorry.” When asked about the support given to the victim by the board, 99% were somewhat (25%) or very satisfied (74%). Thus, although it is quite rare for victims to participate in board meetings, when they do, the experience appears to be generally favorable, and they nearly universally develop a positive rapport with the board, often referring to board members as “great” and “wonderful.”

A third victim concern is seeing the offender *accept responsibility* for his or her behavior. Of those victims who attended the board hearing (and completed the survey), 60% believed that the offender somewhat (20%) or very much (40%) accepted responsibility for the offense. Only 2% observed any denial of responsibility, while the rest were unsure.

⁸ The number of responses is quite low for victims who participated in board meetings, either 21 or 22 depending on the item.

A fourth victim concern is receiving an *apology* from the offender. Our analysis of reparative contracts reveals that 18% included apology letters; *67% of cases with victims*. Our survey results reveal that victims are often pleased to received an apology, but quite frustrated when they expect one and do not get it or when they receive an insincere apology.

In other restorative justice studies, apologies are also frequent, but it is difficult to compare results because of program differences. For example, conferences generally focus on cases with victims, and verbal apologies are more routine than written. The closest comparison is with New Zealand boards, where Maxwell et al. (1999) found apologies as contract items in 54% of cases with victims in one program and 56% in a second program.

A fifth area concerns the *restitution* for material losses such as stolen or damaged property. Of those surveyed who had such losses (n=25), 66% indicated their losses were somewhat (17%) or very well addressed (49%). 10% indicated this need was not well addressed. The data indicate that restitution was ordered in 69% of reparative cases where material harm was identified and outstanding.⁹ Restitution orders ranged from \$37 to \$2500, with a mean of \$381. Our evaluation looks at restitution completion 8-20 months after termination. We define restitution completion in two ways. First, for victims that had outstanding material harm, what percentage received remuneration? Figure 4 demonstrates that 42% received full restitution, and another 8% received partial payment. 50% received no payment either because the offender failed to comply with the restitution order (19%) or because restitution was never ordered (31%). Further research should examine why restitution is not ordered when there is outstanding material harm.

⁹ Material harm was identified by examination of the police report. Outstanding material harm is defined by cases where monetary losses were not recovered by the victim prior to the board meeting, either because stolen goods were returned or insurance covered any losses.

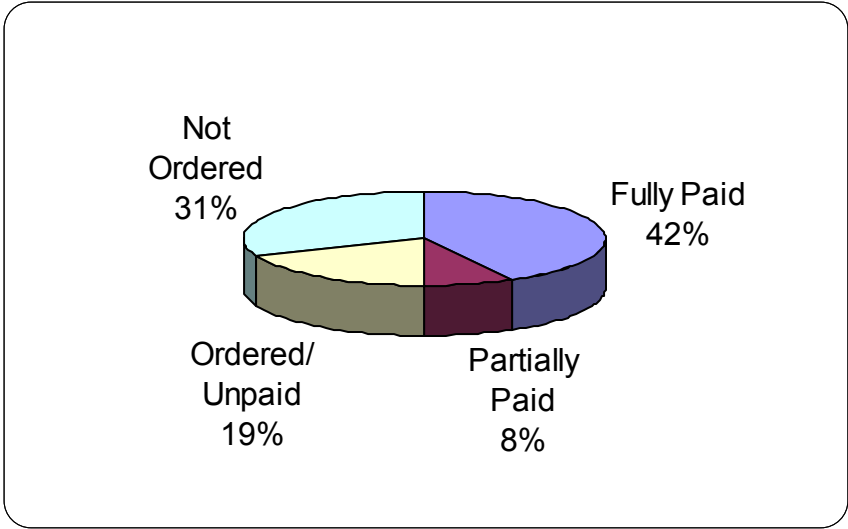


Figure 4. Restitution Completion in Cases with Outstanding Material Harm (8-20 months after program completion).

A second way to consider restitution compliance is to look at only cases where restitution was ordered. Figure 5 demonstrates that when restitution was ordered, 61% of offenders fully paid, another 11% partially completed payment, and 28% failed to pay.

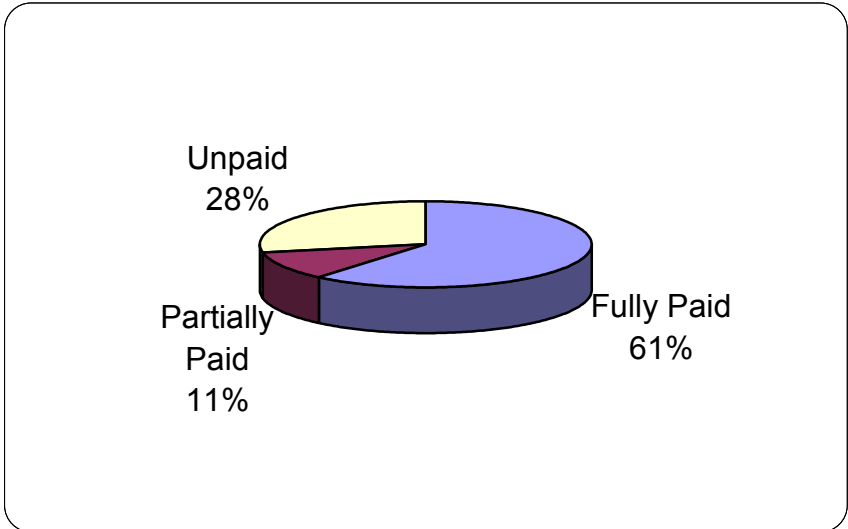


Figure 5. Compliance in Cases with Restitution Orders (8-20 months after program completion).

Restitution has been examined in other restorative evaluations, but we know of no study that controlled for material harm. Restitution orders varied from a mean of \$125 in Pennsylvania juvenile conferencing cases (McCold and Wachtel 1998) to a mean of \$5622 in Winnipeg's Restorative Resolutions program (Bonta et al. 1998) with a full compliance rate of 41%. Thus, compliance in Vermont is slightly higher than in Winnipeg, but the amounts ordered are much lower.

In general, the victim survey indicates that victims are satisfied that their needs are being addressed by reparative probation. 72% report being somewhat (47%) or very (24%) satisfied by the outcome generated in the reparative contract. 20% reported dissatisfaction with the contract. 87% reported that the program helped them to feel better about the crime. 92% recommended that VDOC continue to offer the program—8% were unsure, and no one suggested that it be discontinued. *Interestingly, we found no statistically significant differences in satisfaction levels of victims between those who participated and those who did not participate in board meetings.*

Victim satisfaction in other studies is also high (Maxwell and Morris 1993; McCold and Wachtel 1998; Trimboli 2000; Umbreit and Coates 1992). Satisfaction with contract outcomes in particular range from 56% in Australian conferencing cases of juvenile violence (Strang et al. 1999) to 97% in other Australian youth conferencing programs (Palk et al. 1998).

Outcome #3—Communities are Restored

Table 9 summarizes the findings on community restoration. Here, we examine attempts made to ameliorate the community consequences of crime through community service and community satisfaction with these efforts.

Community Harm is Repaired. Our data show that 65% of offenders were assigned community service as part of their reparative contracts. Of these, 91% completed their service requirement. Some probationers were assigned service by the court prior to their appearance before the board. On average, judges assigned more hours than boards with a mean of 59 hours compared with a board mean of 27 hours. In addition to service, we also found evidence that boards and courts negotiate donations to charities. Although rare, donations may be viewed as community restitution analogous to victim restitution.

Table 9: Outcome #3—Communities are Restored

Outcome Dimensions	Outcome Measures	Summary Findings	
Community harm is repaired	% of offenders completing community service	Offenders assigned community service Offenders fully completed service Offenders partially completed service	65% 91% 2%
	Amount of community service	Mean service hours assigned by court Mean service hours assigned by board	59 27
	Service is linked to offense	Cases with service related to the harm of the offense	8%
	Service is completed in town where offense occurred	Cases with service in town of offense	92%
	Donation is made to community agency	6 donations b/w \$50-750 (high end was court ordered)	
Community is satisfied	Community sites which receive community work service from reparative offenders are satisfied with the work performed	Service sites somewhat or very satisfied with service performed.	94%
		Service sites that would like to continue receiving probationers for community service	100%
	Board members express satisfaction with their involvement in the program	Board members satisfied with their participation. (Based on Karp et al. 2002)	92%
		Board members indicate participation has increased their sense of membership in community. (Based on Karp et al. 2002)	78%
Vermonters are aware of program and support it	Vermonters familiar with boards After learning more about the boards, Vermonters favoring their use	11% 91%	

Table 10 summarizes three dimensions of community service: what kind of work is done, how it is supervised, and whether probationers work with non-probation volunteers. We find that almost all activities involve unskilled manual labor, such as yard work, cleaning, photocopying, or sorting food or clothes. 14% of the service activities called upon some social skills, and these primarily had to do with organizing youth recreational activities, such as at a Boys and Girls Club. We found significant variation in the extent of offender supervision. 59% of their service was unsupervised or only sometimes supervised. We also found significant variation in the extent of service conducted with non-probationer volunteers. 52% of offender service was completed with these volunteers most of the time or always. We did not find satisfaction to be statistically correlated with either level of supervision or service with non-probationer volunteers. That is, agencies appeared satisfied with the service program whatever their arrangement.

Table 10. Nature of Community Service Activities

	% of Offenders
<i>Type of Activity</i>	
Grounds/Maintenance	32
Janitorial	29
Food Preparation	17
Social Activity	14
Clothes Sorting	8
Carpentry	5
Clerical	4
<i>Supervised service</i>	
Never	17
Sometimes	42
Most of the Time	29
Always	12
<i>Service completed with non-probationer volunteers</i>	
Never	12
Sometimes	34
Most of the Time	24
Always	28

Service can be linked to the offense in a variety of ways (Karp 2001). The most direct link is when the service repairs harm caused by the offense, such as when the offender cleans graffiti that he or she painted on public property. A direct link is also made when the service addresses problems associated with the offense, such as when a drunk driver gives a public presentation to a school driver education class. This was found in only 8% of the service assignments. Less direct, but still linked, is service that is selected by the victim. This latter form of service was not measured in this study. A third way in which service is linked to the offense is that the offender completes the service in the town where the offense occurred. We found this to be case in 92% of the cases.

Community is Satisfied. The program is premised on the assumption that crime harms communities in both direct and indirect ways. Directly, individual victims are harmed and public spaces may be damaged. Community service is a common strategy to ameliorate community harm. Less directly, criminal incidents generate neighborhood fear, potentially causing residential instability as residents seek to move from troubled neighborhoods. Crime may also cause civic disengagement, as residents obtain a negative and mistrustful outlook toward their neighborhoods. Reparative probation was designed not only to involve citizens in the decision-making process, but to enhance civic commitment and community satisfaction. Based on our new data and prior research, we

report here a few indicators of community satisfaction with (a) offenders' efforts to repair community harm; (b) with the program's capacity to create civic engagement; and (c) with the Reparative Probation as a whole.

The survey of community service sites indicates widespread satisfaction with probationer service. 94% of the respondents indicated they were somewhat or very satisfied with offender service. 100% of the sites would like to continue receiving probationers for service. Of respondents, only 60% remembered the particular offender in our sample. Of them, 100% were somewhat (37%) or very satisfied (63%) by the work of the specific offender. In general, 100% of the respondents believed probationers' service was somewhat (26%) or highly (74%) beneficial to the community. 92% believed the work was also somewhat (57%) or highly (35%) beneficial to the offender. 2% believed it was not beneficial at all. No one type of service was found to be significantly more beneficial to the offender or the community than the others.

Agency comments generally reflected the satisfaction statistics. Respondents thought reparative probation "was a great program." Some agencies reported hiring or wanting to hire offenders that volunteered for them. The few negative comments revealed that agencies sometimes have difficulty with offenders failing to show up for assigned service; not working very hard; causing friction with non-probationer volunteers (in one case, a sexual harassment complaint was filed). In addition, agencies would like to see more communication with VDOC.

Very little is known about offender community service in other programs. One study from Scotland (McIvor 1993a) reports similarly high levels of satisfaction among agencies. Also, similarly, McIvor found that when problems occurred, they most often had to do with poor attendance, lack of motivation, and antisocial behavior. Almost all of the Scottish agencies were willing to continue offering placements, just as was found in Vermont.

Since board members are representatives of the community, their satisfaction is an indicator of civic engagement. In essence, we ask if volunteer participation in reparative probation builds community and restores confidence in the criminal justice system. Karp et al. (2002) conducted a survey of board members and found that 92% of board members were satisfied with their experience serving on the board. Moreover, 78% reported that their participation increased their sense of membership in the community. According to the John Doble (2000) study, 11% of Vermonters are familiar with reparative boards. Of this group, 77% had a positive opinion about them and 11% had a negative opinion. After learning more about the boards, 91% favored their use. This evaluation, then, finds several indications of broad support and satisfaction with the program's capacity to repair community harm.

Outcome #4—Offenders Are Responsible

Restorative community justice programs generally have a moral vision of criminal offenders (Braithwaite 2002; Bazemore 1999). Reintegration in this model occurs when offenders achieve both moral and social integration. That is, they share with the

community an understanding of the moral underpinnings of the law, particularly as it pertains to the consequences of criminal behavior on victims and the community. It is believed that when offenders understand how their own behavior was harmful, they will not reoffend. Further, moral commitment must be buttressed by social bonds (Hirschi 1969). Not only must offenders overcome personal problems, but also they need solid ties to the conventional community—ties that offer social support, behavioral monitoring, and concrete opportunities for education and employment. The four outcome dimensions evaluated here address these elements of offender responsibility. Results for the fourth outcome are summarized in Table 11.

Offenders Understand Impact. It is always difficult to evaluate what a person knows. We can ask offenders, “Do you understand how your behavior affected others?” Of course, there is a strong incentive for them to answer yes, whether or not they really do. A carefully constructed offender survey might be the best measure for this dimension, but we do not report one here. However, in studies of conferencing programs elsewhere, we find some evidence that restorative practices improve offender understanding of the harm. For instance, both McCold and Wachtel (1998) and Trimboli (2000) report that 94% of offenders believe they understand the harm they caused to victims. Strang et al.’s (1999) findings range from 52-77%, depending upon the type of offense. In a study by McGarrell (2001), data from neutral observers of juvenile conferences in Michigan indicate that 66% of offenders understood the impact on victims. This study relies on indirect measures—what board members and victims think, and what kinds of tasks offenders were asked to complete that help them understand the harm.

Board members discuss the harm of the offense during the board meeting. Victims share the impact on them when they attend or through victim impact statements. When victim information is unavailable, boards rely on police reports and dialogue with the offender. According to Karp et al. (2002), 90% of board members believe that offenders who successfully complete the program gain an understanding of the harm they caused.

Of those victims who attended the board hearing in our sample, 96% were either somewhat (26%) or very satisfied (70%) that the offender understood how the crime had affected them. These results may be compared to Trimboli’s (2000) study of Australian conferencing that found 78% of victims believed the offenders in their cases understood the harm.

Table 11: Outcome #4—Offenders Are Responsible

Outcome Dimensions	Outcome Measures	Summary Findings	
Offenders Understand Impact	% of offenders assigned contract tasks that deepen offender understanding of impact	Contracts with impact learning tasks Specific tasks assigned for all cases: Essays Victim Impact Panel Encare News Item Public Present Victim Offender Mediation/Dialogue Other (watch video; discuss with someone) (Percentages do not add to 100 due to multiple tasks assigned per offender)	73% 43% 37% 28% 4% 2% 1% 1%
	Victims' evaluation of offender understanding	Victims who attended board meeting satisfied that offenders understood how the crime affected them.	96%
	Board members evaluation of offender understanding	Board members that believe that offenders who successfully complete reparative probation understand the harm of their offense. (Based on Karp et al. 2002)	90%
Offenders Made Amends	Offenders complete reparative probation	Cases with successful completion	81%
Offenders Build Social Ties	% of offenders assigned contract tasks that develop competencies	Contracts with competency tasks Specific tasks assigned for all cases: Driver Education Treatment/Counseling Drug/Alcohol Screening Future Planning Education Competency Class Prison Tour Job Training (Percentages do not add to 100 due to multiple tasks assigned per offender)	67% 37% 23% 17% 12% 11% 6% 6% 4%
Offenders are Law Abiding	Offenders do not commit probation violations	Offenders committing no violations Offenders committing violations that led to termination Offenders committing minor violations	74% 19% 7%
	Ex-offenders do not commit new crimes	Offenders rearrested w/in one year of board meeting Offense breakdowns for rearrests are: DWI Misc. Driving Offense Misc. Drinking Offense Assault/Harassment/Disorderly Theft/Fraud Drug Offense Unlawful Trespass/Mischief	31% 30% 22% 16% 10% 10% 8% 3%

Boards frequently negotiate contract tasks designed to educate the offender about harm. We identified these tasks by examining contracts. Tasks that are primarily designed to benefit others (such as apology letters to victims) were not included, but it could be argued that they might also help the offender gain understanding about the harm. We also excluded tasks that were designed to help the offender succeed in conventional living (such as drug treatment or job training). 73% of cases had contract tasks specifically designed for offender understanding of harm (see Figure 6). Of these, the most frequently assigned task was an essay or research paper (43% of cases). Such essays might ask offender to reflect on the harm, on why the law they broke exists, or to gather data, such as the total medical costs of drunk driving accidents for the state. A small fraction of cases asked offender to present such material publicly either as a letter to a newspaper (4%) or through public speaking (2%). 37% of contracts required offenders to attend victim impact panels. 28% made use of a program called Encare, a national volunteer program offered by emergency room nurses to educate the public about trauma prevention (with a particular focus on drunk driving). Occasionally, boards will ask offenders to engage in other activities, such as victim-offender mediation, to watch a particular video or discuss the crime with a family member or respected community member.

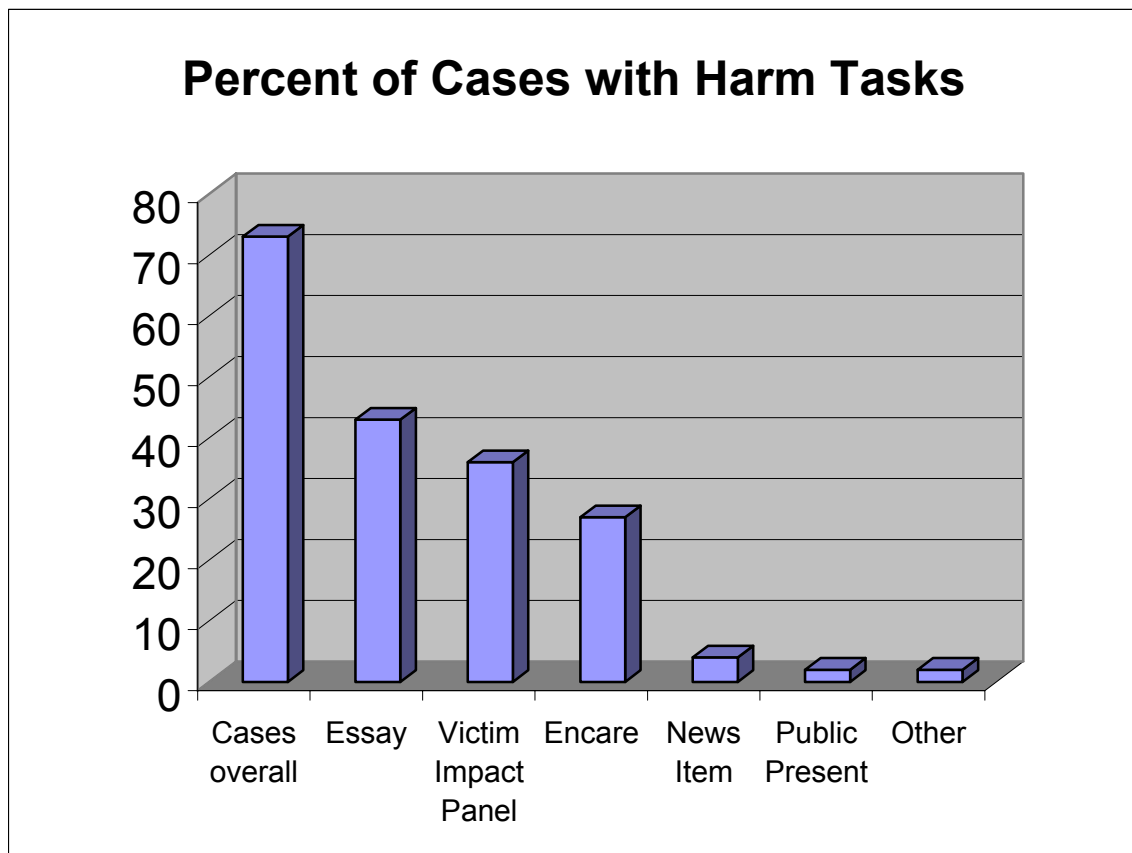


Figure 6. Contract Tasks to Understand Harm

Offenders Made Amends. In this study, we use several measures to determine if victim and community restoration took place, and these are summarized in their respective outcome dimensions. As a global measure, we report here the extent to which offenders complete their contracts. As an indirect measure, we find that 81% of offenders successfully completed reparative probation. Undoubtedly, some contracts were modified over the probation period, but as a rule, offenders cannot be successfully terminated unless they have abided by contract terms. The only exception to this is restitution. Because the program was designed as a 90-day program, and many offenders do not have the means to pay restitution within that time period, offenders are successfully terminated when they complete all other contract tasks. They are then placed on administrative probation until restitution is completed.

This finding can be compared to other studies of offender success. Umbreit and Coates (1992) also report a completion rate of 81% in their study of victim offender mediation (VOM) programs. Dignan (1992) reports a rate of 91% for a VOM program in England. For youth conferencing programs, completion rates are 83% (McGarrell 2001); 94% McCold and Wachtel (1998); and 93% (Palk et al. 1998). The RISE study in Australia reports rates varying from 78-89% (Strang et al. 1999). Maxwell et al.'s (1999) study of two New Zealand boards reports rates of 79% and 55%. In sum, offender completion in reparative probation is similar to that found in other restorative programs.

Offenders Build Social Ties. Reparative contracts include tasks designed to help the offender “learn not to re-offend.” This focus on reintegration specifies that board members consider offender needs. Though not trained in assessment or treatment, board members try to find ways that offenders can better connect with the conventional community. Our analysis of contracts finds that 67% had tasks to develop competencies (see Figure 7). Tasks were categorized as competency tasks when they had no discernable benefits to anyone other than the offender. We provide no evaluation here of the quality of these tasks in relation to “what works” in correctional rehabilitation (Cullen and Gendreau 2000). Although it can be argued that community service is a vital means of reintegration (Bazemore and Maloney 1994; Karp 2001), we exclude this from our analysis here. We found only one case in this sample where a service assignment was specifically designed to help the offender become better integrated, and not to serve as a response to community harm. In this case, the offender was asked to organize a neighborhood block party.

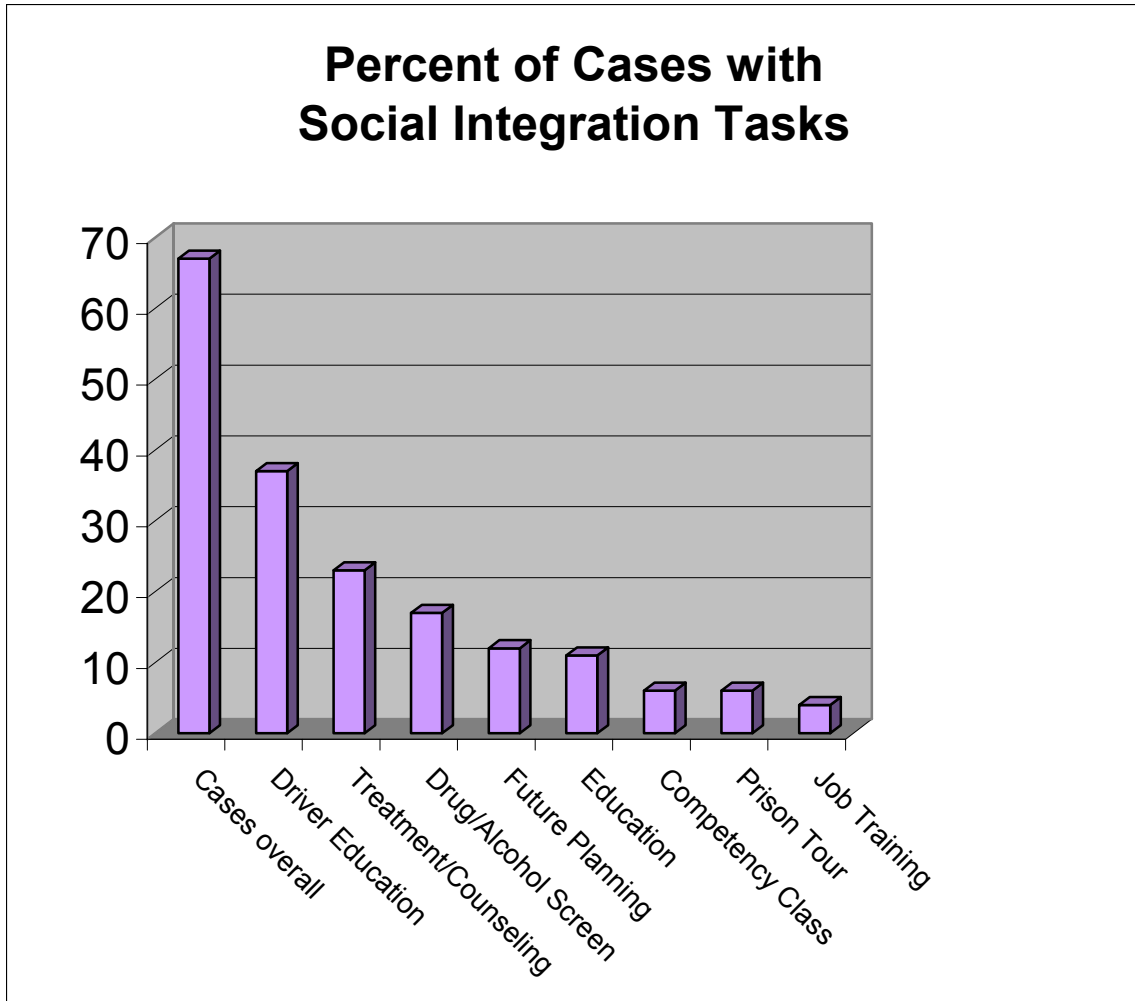


Figure 7. Contract Tasks to Build Social Ties

The most common competency assignment was driver safety (37% of contracts), such as placement in a program called CRASH designed for DWI offenders. 23% of the sample was referred to counseling for substance abuse or mental health. 17% were referred to alcohol or substance abuse screening, which is merely an assessment, with no requirement for follow through if a problem is identified. 12% of the offenders were asked to engage in some form of future planning, such as writing a 5-year-plan. 11% were required to seek further education, such as getting a GED. 6% were assigned to a specific competency class, such as anger management or decision-making. 4% were referred to job training. One task was hard to classify, but we include it here as competency development through deterrence. 6% of offenders were required to tour a prison, presumably so they can be “scared straight.”

In some categories, we have no measure for assessing offender need relative to the tasks assigned, thus we cannot evaluate whether the program is effectively addressing all offender needs. With regard to education, of the offenders that did not have a high school degree (37% of the sample), only 21% of them were assigned education-related tasks

such as obtaining a GED.¹⁰ With regard to alcohol/substance abuse, 57% of cases were alcohol or drug-related, such as drunk driving, underage drinking, or drug possession. 76% of these cases were assigned relevant competency tasks, such as screening, treatment, or driver safety.

With regard to other restorative justice evaluation reports, Bonta et al.'s (1998) Winnipeg study found that 97% of offenders were assigned competency developments tasks. In Maxwell et al.'s (1999) study of New Zealand boards, 44% of offenders in one program were assigned to competency programs, and 60% were referred in the other program. The RISE study of Australian conferencing sought to compare identified needs with competency assignments. Strang et al. (1999) found, for example, that during the conference, 35% of the DWI offenders presented an AOD problem, but only 4% were referred to treatment. In this arena, there is substantial variation (from 4%-97%!). Some programs clearly do not emphasize rehabilitation, while others prioritize it.

Offenders are Law Abiding. Although restorative justice programs have not been designed to specifically reduce recidivism, any program concerned with offender reintegration must naturally be concerned with this dimension. At minimum, restorative programs should not increase recidivism over traditional alternatives. However, Latimer et al.'s (2001) meta-analysis suggests that restorative programs do have a statistically significant effect on recidivism—reducing it over traditional sentencing options.

As a proximate measure, we looked at how many reparative probationers committed probation violations. 26% of our sample did commit violations, 19% of which led to program failure and termination. These individuals were returned to court. This may be compared with Bonta et al.'s (1998) finding that 17% of offenders in Winnipeg's Restorative Resolutions program committed probation violations.

Since recidivism is often defined in a variety of ways, we chose a definition that best describes offender re-offense within the time period allowable in this study. We used the following definition of recidivism. A recidivist is any probationer that committed a crime within one year of their reparative board meeting. In cases where the board meeting date was missing, we used the date the offender was sentenced to reparative probation (ten cases). A crime is defined by a conviction of guilt. We used the rearrest date to define the time of offense commission.

Our study reveals that 31% of reparative probationers were rearrested within one year of their board meeting. Only 1.5% of the total sample were rearrested for violent offenses. Of those rearrested, 30% committed DWI and 22% various other driving offenses (see Figure 8). Most commonly, these were for DLS (driving with a suspended license)—licenses that were suspended most likely for a prior DWI. 16% of the rearrests were for drinking infractions, such as underage drinking. 10% involved cases of theft or fraud. 8% were rearrested for drug possession or sale. 5% committed an assault. 5% were arrested for harassment or disorderly conduct, and 3% for trespass or mischief. Unfortunately, this

¹⁰ We cannot say that all of these offenders needed such contract assignments. For example, it is likely that a portion of them were in high school at the time of the board meeting.

study cannot compare reparative probation recidivism rates with traditional probation rates.

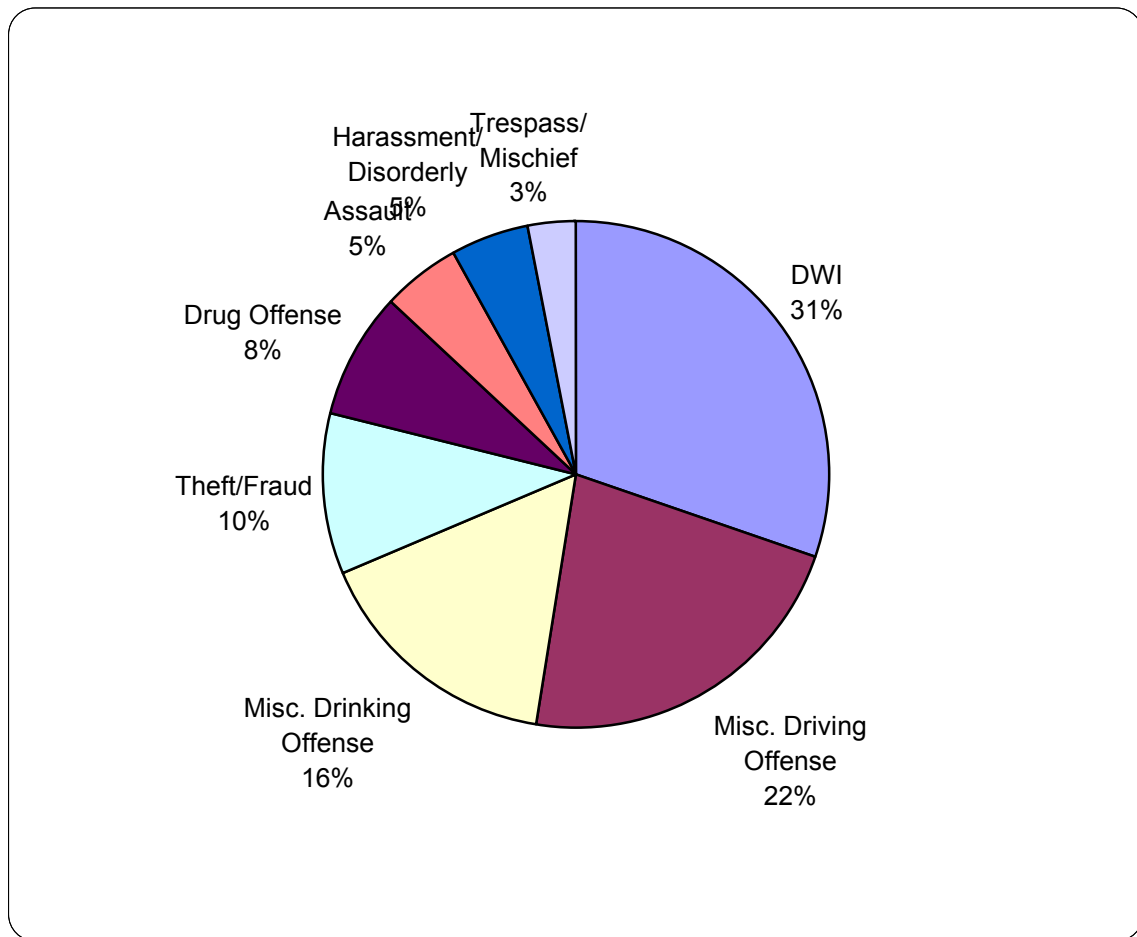


Figure 8. Recidivism offenses.

Comparing reparative probation’s recidivism rate of 31% to other restorative programs, we find significant variation. The lowest reported rate comes from the Winnipeg study: 5% reconviction at one year (Bonta et al. 1998). Their study also showed enhanced reductions relative to a comparison group. McCold and Wachtel (1998) report a recidivism rate of 20% for violent juvenile offenders and 32% for property juvenile offenders. Other studies of juvenile conferencing report recidivism rates of 30% (McGarrell 2001) and 40% (Hayes and Daly 2002) at one year. Maxwell et al.’s (1999) study of New Zealand boards found recidivism rates (reconviction at one year) of 14% for one program and 30% for a second. Interestingly, the Winnipeg program had the highest rate of rehabilitation referrals and the lowest rate of recidivism. Reparative probation at 31% falls within this range of 5-40%.

One study reports a negative effect of conferencing. Sherman et al. (2000) found in the RISE experiment that conferences for drunk drivers increased the likelihood of rearrest,

compared with court adjudicated cases.¹¹ Although they suggest the comparison is problematic because court adjudicated offenders lost their licenses while conferenced offenders did not, a parallel can be drawn to the high rate of Vermont DWI and DLS rearrests.

RECOMMENDATIONS FOR FUTURE DATA COLLECTION AND EVALUATION

In this section, we make recommendations for systematic evaluation. Given limited resources, we identify a parsimonious design that allows the agency to streamline its data collection procedures. We seek to minimize two common programmatic data problems: the collection of data that never gets analyzed, and the analysis (and subsequent misinterpretation) of data that was unreliably collected—replete with inaccuracies and omissions. This section offers a more comprehensive set of outcome measures than those provided above and an implementation plan for data collection. We recommend that data be collected in three ways.

1. Snapshot Report.

Summarize at least two measures for each outcome. Further, these data would be collected for every offender who was sentenced to reparative probation, and for every volunteer participating in the program. These data would be relatively simple to collect, and provide highly reliable data. However, the data would not be likely to provide a nuanced or detailed analysis of the dimension. The rationale for this strategy is that data collection for every individual is a difficult task involving many line level staff. Thus, those data collected for the whole population should be carefully selected and relatively easy to gather, in order to maximize staff compliance. This report would provide a yearly “snapshot” of the program, but will not provide detailed evaluative information.

Appendix 2 provides recommendations for changes to Reparative Database records to simplify data input and coordinate the database and future evaluation research. Appendix 2 lists all variables necessary for completion of the snapshot report.

2. Case File Evaluation Report.

Collect data every three years for a sample of reparative cases drawn from the preceding year. Sample size may vary from year to year, but we estimate this will approximate 300 cases. This is a large enough sample to generalize to the whole case population for that year. Data from the sample would be collected from *case files* and other administrative data sources such as court data.

Appendix 3 provides information necessary to complete a Case File Evaluation. The appendix provides (1) a checklist for contents of case files; (2) offender intake information to be added to the reparative database; (3) a checklist for information required for reparative contracts; and (4) a program completion form to be completed by a board during a closure meeting.

¹¹ On the other hand, the RISE study reports a significant reduction in recidivism for violent juvenile offenders compared with court adjudication.

3. Topical Studies.

Periodically conduct in-depth studies of specific issues. Topical studies require data unavailable from case files, emphasizing the use of survey instruments. Topical studies include surveys of victims, offenders, community service sites, board members, and Vermont citizens. Recently, John Doble (2000) conducted a topical study of citizens and Karp, Bazemore, and Chesire (2002) conducted a study of board members. Karp (2001; 2002) and his associates (Karp and Walther 2001; Maruna et al. 2001; Ehrhard et al. 2001) analyze videotapes of 52 board hearings, reporting on process dimensions of reparative probation.

Tables 12-15 summarize our recommendations for data collection and reporting for each outcome dimension.

Table 12: Outcome #1—Communities are Involved

Outcome Dimensions	Outcome Measures	Proposed Data Source	Report
Community Decision-Making Authority	Decision-making authority of board members	Program design documents	Snapshot Report
	Diversity of volunteer roles and % of volunteers/volunteer hours in each role	Program staff Volunteer database	Topical Study
	Type of activity of Community Justice Centers	Community Justice Centers	Topical Study
	Type of activity of reparative board association	Reparative Board Association	Topical Study
Offender Participation	Active Participation	Offender Survey	Topical Study
	Offenders are treated fairly	Offender Survey	Topical Study
Victim Participation	Victims participated in the hearing	Reparative database	Snapshot Report
	Victims gave statement to be presented at hearing	Reparative database	Snapshot Report
Community Volunteer Participation	# of board members increased over previous year	Volunteer database	Snapshot Report
	# of hours board members contribute	Volunteer database	Snapshot Report
	# of hours other volunteers contribute	Volunteer Database	Snapshot Report
	# of boards increased over previous year	Program staff	Snapshot Report
	# of communities that have boards have been increased	Program staff	Snapshot Report
	Increase in # of Community Justice Centers	Program staff	Snapshot Report
	Increased activity of reparative board association	Reparative Board Association	Topical Study
	Board membership is representative of the community	Board member survey	Topical Study

Table 13: Outcome #2—Victims’ Needs Are Addressed

Outcome Dimensions	Outcome Measures	Proposed Data Source	Report
Victim Restoration	Victims’ needs are addressed in a timely manner: time between sentencing, board hearing, and contract termination	Reparative database	Snapshot Report
	Victims’ emotional needs were addressed	Case files (apologies)	Case File Report
	Victims’ material needs were addressed	Restitution database	Snapshot Report
		Case files	Case File Report
	Victims indicate their needs were addressed	Telephone survey	Topical Study

Table 14: Outcome #3—Communities are Restored

Outcome Dimensions	Outcome Measures	Proposed Data Source	Report
Community harm is repaired	% of offenders completing community service	Reparative database	Snapshot Report
	Amount of community service (# of hours)	Reparative database	Snapshot Report
	Service is linked to offense	Case files (reparative contracts)	Case File Report
	Service is completed in town where offense occurred	Case files (reparative contracts)	Case File Report
	Donation is made to community agency	Case files (reparative contracts)	Case File Report
Community is satisfied	Community sites which receive community work service from reparative offenders are satisfied with the work performed	Community service Site telephone survey	Topical Study
	Board members express satisfaction with their involvement in the program	Board member survey	Topical Study
	Vermonters are aware of program and support it	Citizen survey	Topical Study

Table 15: Outcome #4—Offenders Are Responsible

Outcome Dimensions	Outcome Measures	Proposed Data Source	Report
Offenders Understand Impact	% of offenders assigned contract tasks that deepen offender understanding of impact	Case files (reparative contracts)	Case File Report
	Offenders understand the impact their crime had on the victim and the community.	Offender survey	Topical Study
	Offenders acknowledge wrongfulness of offense	Offender survey	Topical Study
	Victims' evaluation of offender understanding	Victim Survey	Topical Study
	Board members evaluation of offender understanding	Board Survey	Topical Study
Offenders Acknowledge Responsibility	Offenders acknowledge their responsibility for the harm caused by the offense	Offender survey	Topical Study
Offenders Made Amends	Offenders complete reparative contract	Reparative database	Snapshot Report
Offenders Build Social Ties	Offenders develop competencies	Case files	Case File Report
	Offenders develop conventional attachments	Offender survey	Topical Study
	Offenders are bonded to local institutions: school, work, volunteer	Case files	Case File Report
	Offenders have a stronger sense of community	Offender survey	Topical Study
Offenders are Law Abiding	Offenders do not commit probation violations	Reparative database	Snapshot Report
	Ex-offenders do not commit new crimes	Court data	Case File Report

CONCLUSION

Vermont Reparative Probation is a widely known program, yet program outcomes have not been comprehensively examined prior to this report. Focusing on how well the program achieves goals determined by program staff, this report, in general, offers confirmation that the community justice goals have been implemented effectively.

Communities are Involved

This report finds substantial community involvement in the program. Rarely do probation programs offer volunteers the opportunity to determine sanctions, yet this is the centerpiece of this program's design. Moreover, we find that volunteer roles are diversifying. Beyond board membership, volunteers are working with victims, caseworkers, and developing community service opportunities. Recruitment of volunteers increased over the study period, as did the number of hours contributed by volunteers. The number of boards also increased, in order to serve more communities. We find that board members are also highly representative of the communities in which they live, although they tend to be older and more highly educated than the average Vermonter and the average offender that they see.

The only truly problematic results we found in this evaluation has to do with victim participation. First, the majority of reparative cases are victimless, so (unless referrals change) most cases will have not victim participation. However, of cases with victims, we found that they participated in only 20% of the cases. Only 11% attended a board meeting, while the other 9% completed a victim impact statement for the board to use in their negotiation of the reparative contract. Further inquiry is necessary to better determine the causes for such low participation rates. Our preliminary conclusion is that the primary explanation is programmatic failure to identify and contact victims. A concerted effort to contact victims may not substantially increase their participation in board meetings, but will at minimum dramatically increases their contribution of victim impact statements.

Victims' Needs are Addressed

We examined how well the program addressed victims' needs in four ways. In general, we found the program to be effective in meeting victims' needs, although more attention could be paid to ensuring that victims' material needs are met through restitution.

First, we assumed that victims' want their needs addressed in a timely manner. We found that it takes, based on the median, two months for cases to move from sentence to board meeting. Following the meeting, program design calls for completion within 90 days. The median completion for the sample was 98 days. Although this is close to the goal, since this is the median, more than half of the cases took longer than 98 days. In addition, many cases terminate from Reparative Probation, but are rolled over to an administrative probation when the offender has not completed restitution payments.

Second, we examined how emotional needs were met by considering victim satisfaction with their participation, their attitudes about the offender, and the extent to which they received apologies as part of reparative contracts. Satisfaction rates are high with regard

to participation (82%) and board supportiveness (99%). 60% of victims surveyed believed the offender had accepted responsibility. 67% of cases with victims had apologies as a contract task.

Third, we looked at how material needs were met through restitution orders. Primarily, these are negotiated in court, and typically, material harms are rectified before the case comes to the board. Only 18% of all cases had outstanding material harm that boards needed to address. Victims failed to receive restitution in these cases (a) when it was not negotiated in the contract, or (b) when offenders failed to pay. Restitution went unpaid for these reasons in 50% of the cases with outstanding material harm. In other words, most victims had their material needs addressed prior to the board meeting. And of the subgroup that had needs at the time of the board meeting, half received full restitution (42%) or partial restitution (8%).

Fourth, we found that victims were highly satisfied with the program. Most were pleased with the contract (72%). Most believed the program helped them to feel better about the crime (87%). And nearly all believed the program should be continued (92%).

Communities are Restored

The evaluators examined community restoration by looking at the extent of community service and community satisfaction with service and with the program as a whole. In general, we found that the program makes extensive use of community service, offenders typically complete this service, and the community is pleased with it.

The majority of offenders (65%) are assigned community service as part of their contracts. On average, they are assigned 27 hours of service to complete, and this work is done at non-profit agencies. Typically, offenders perform unskilled labor such as maintaining grounds, cleaning, or preparing food. Most of these offenders (91%) fully complete their assigned hours. A survey of service site revealed that 94% were satisfied with the work performed and all of them wanted to continue receiving offenders from the program.

Program volunteers represent the community and their opinions about the program provide some insight in general community satisfaction. We found board members to be satisfied (92%) with their role in the program, and that the program has helped them feel a greater sense of membership in the community (78%). Most Vermonters (89%) are unfamiliar with the program, but once informed, 91% indicate support for it.

Offenders are Responsible

The program seeks to ensure that offenders are accountable for their actions by repairing harm, but also seeks to educate offenders about their responsibilities as community members. Offender responsibility is defined by their (a) understanding of the harm they caused, (b) gaining skills/competencies that will help them be productive citizens, (c) successful completion of the contract, and (d) law-abiding behavior. In general, most offenders are successful and law-abiding. Most of them complete tasks that help them understand the harm and gain competencies.

Most offenders (73%) are assigned tasks in their contracts to help them gain a better understanding of the harm. Typically, these include writing essays, attending victim impact panels, or a drunk driving impact course. Victims also communicate the harm they suffered, and most victims (96%) who attended the board meeting believed the offender did gain an understanding of the harm. Offenders are also frequently assigned competency building tasks (67%). Typically, these include driver education, treatment/counseling, or a drug or alcohol screening. Less frequently, offenders are assigned reintegrative tasks such as seeking educational opportunities or job training. This is one program area that can be further developed, particularly regarding offenders with educational deficits.

Most offenders (81%) successfully complete the program. 31% of offenders are rearrested within one year of the board meeting. The majority of rearrests are for DWI or other driving offenses. 1.5% of probationers are rearrested for violent crimes.

Although this report does not compare outcomes to a control group, the findings largely demonstrate a successful program. Completion rates could be higher and recidivism rates could be lower. Victims could surely participate more in this program. Nevertheless, victims, volunteers, and community service providers are supportive of the program, and indicate that it meets their needs. We hope that this report will be taken as further evidence that restorative community justice is a viable correctional philosophy. We also hope that it effectively illuminates the strengths of this particular program and the areas where program managers can focus their attention for remediation.

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Appendix 1. Evaluator Biographies

David R. Karp is Assistant Professor of Sociology at Skidmore College in Saratoga Springs, New York, where he teaches courses in criminology and criminal justice. He conducts research on community-based responses to crime and has given workshops on restorative justice and community justice nationally. He is the author of more than 30 academic articles and technical reports and three books—*Community Justice: An Emerging Field*, *The Community Justice Ideal* (with Todd Clear), and *What is Community Justice? Case Studies of Community Supervision and Restorative Justice* (with Todd Clear).

Mary Sprayregen is a senior at Skidmore College. She is a sociology major and law and society minor. Mary's interests include the death penalty, restorative justice, and victim's issues.

Kevin M. Drakulich is a Graduate Research Assistant in the Department of Sociology at the University of Washington in Seattle. He graduated from Skidmore College in 2001. His interests are in deviance, crime and law, social psychology, cities and communities, youths and education, and quantitative and qualitative methods. His current research is diverse and includes communities and victimization, individual-level models of delinquency, crime and the life-course, and comparative international legal issues.

Appendix 2. Snapshot Report Data Sources

Below, we list the data sources necessary for completing a Snapshot Report. A Snapshot Report requires the use of multiple databases. For each database, variables are defined. This proposal makes data input for several current variables unnecessary. We recommend those be deleted from the database (those variables are not listed below). For each variable listed below, we identify if it is currently used and acceptable, if it needs revision, or if the variable needs to be added to the database.

Reparative Database

<i>Fieldname</i>	<i>Comments</i>
direct_vic	Revision Yes/No, was there a "direct victim"? Change to D=direct victim, A=affected party, N=No victim
ques6	Revision Change Fieldname to vic_inv Victim Involvement: a list of code letters indicated how a victim was involved in the case. A. Submitted impact statement to board B. Attended board meeting with offender present C. Participated in other restorative process D. No victim involvement (No A, B, or C)
sentdte	Current Sentence date on docket initiating the creation of the rep_case record
mtg1_date	Current Date of the first meeting with the reparative board
term_date	Current Termination date of the reparative board part of a case
term_code	Current Termination reason
cws_hours	Revision Number of community service hours completed
employ_intake	New Employed at intake (Yes/No)
school_intake	New In school at intake (Yes/No)
vol_intake	New Volunteers in the community at intake (Yes/No)
employ_comp	New Employed at completion (Yes/No)
school_comp	New In school at completion (Yes/No)
vol_comp	New Volunteers in the community at completion—beyond any service requirements (Yes/No)

Volunteer Database

<i>Fieldname</i>	<i>Comments</i>
none	Revision # of board members on December 31, for each year
none	Revision # of boards on December 31, for each year
none	Revision # of hours board members contribute
none	Revision # of hours other volunteers contribute

Restitution Database

<i>Fieldname</i>	<i>Comments</i>
none	Revision Amount of restitution assigned
none	Revision Amount of restitution paid at termination

Appendix 3. Case File Evaluation Data Sources

Case File Evaluations require analysis of case files. Below we provide (1) a checklist for contents of case files; (2) offender intake information to be added to the reparative database; (3) a checklist for information required for reparative contracts; and (4) a program completion form to be completed by a board during a closure meeting.

Checklist for Case Files

Case files should consist of documents that cannot be included in the reparative database.

- ☛ Police Affidavit
- ☛ Reparative Contract
- ☛ Apology Letters
- ☛ Assignments (apology letters, essays, research papers, etc.)
- ☛ Offender Completion Form

Offender Intake Information to be Added to the Reparative Database

- | | | | | |
|------------------------|-----|--------------------------|----|--------------------------|
| ☛ Employment at Intake | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| ☛ In School at Intake | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| ☛ Volunteer Activity | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Checklist of Information Required for Reparative Contracts

- ☛ Offender name
- ☛ Date of board meeting
- ☛ List of board members present
- ☛ List of victims present
- ☛ List of victim supporters present
- ☛ List of offender supporters present
- ☛ List of harms caused by offense
- ☛ List of required tasks to help offender understand harm
- ☛ List of required tasks to repair harm
- ☛ List of offender needs: education; employment; treatment
- ☛ List of required tasks to help offender develop competencies

Offender Completion Form

Offender Name: Phone Address	Board:
	Employment at Closure Yes <input type="checkbox"/> Type: No <input type="checkbox"/>
In School at Closure Yes <input type="checkbox"/> Grade/Type: No <input type="checkbox"/>	Volunteer Activity at Yes <input type="checkbox"/> Closure(beyond contract) No <input type="checkbox"/> Type:
Did offender complete tasks to learn about the harm? (Essay, Encare, etc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> List:
Did offender complete tasks to repair harm? (Apology, Restitution, Community Service, etc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> List:
Did offender complete tasks for competency development?(GED, Alcohol screen, etc.)	Yes <input type="checkbox"/> No <input type="checkbox"/> List:
Community Service Information Agency Name: Contact Name: Phone: Address:	Hours ordered by court: _____ Hours ordered by board: _____ Hours completed: _____ Service activity (describe): Did community service occur in same town as offense? Yes <input type="checkbox"/> No <input type="checkbox"/>

Appendix 4. Case File Codesheet

Offender Name:	Board:
Employed Yes <input type="checkbox"/> No <input type="checkbox"/> No Info <input type="checkbox"/>	In School Yes <input type="checkbox"/> No <input type="checkbox"/> No Info <input type="checkbox"/>
Offense type:	Volunteers in the community Yes <input type="checkbox"/> No <input type="checkbox"/> No Info <input type="checkbox"/>
If violated, identify reason: Did offender refuse to sign contract? Yes <input type="checkbox"/> No <input type="checkbox"/> No Info <input type="checkbox"/>	Material Harm: Yes <input type="checkbox"/> No <input type="checkbox"/>
Victim 1: Name and Phone	Apology ordered? Yes <input type="checkbox"/> No <input type="checkbox"/> Apology in file? Yes <input type="checkbox"/> No <input type="checkbox"/>
Victim 2: Name and Phone	Apology ordered? Yes <input type="checkbox"/> No <input type="checkbox"/> Apology in file? Yes <input type="checkbox"/> No <input type="checkbox"/>
Victim 3: Name and Phone	Apology ordered? Yes <input type="checkbox"/> No <input type="checkbox"/> Apology in file? Yes <input type="checkbox"/> No <input type="checkbox"/>
Community Service Type of Service (be specific): Site Name: Type of Agency: Site Contact and Phone:	None ordered <input type="checkbox"/> Hours ordered by court: _____ Hours ordered by board: _____ Hours completed: _____ No Info <input type="checkbox"/> Did community service occur in same town as offense? Yes <input type="checkbox"/> No <input type="checkbox"/>
Was Offender assigned tasks to learn about the harm? (Essay, encare, etc.) Yes <input type="checkbox"/> No <input type="checkbox"/>	List:
Was Offender assigned tasks for competency development?(GED, Alcohol screen, etc.) Yes <input type="checkbox"/> No <input type="checkbox"/>	List:

Appendix 5. Victim Survey

Hi, I'm (*evaluator name*) and I'm working with the VT Department of Corrections. Is (*victim name*) there please? We're taking a closer look at our reparative probation program—especially how well it responds to the needs of the victims. Would you be willing to take a few minutes to answer some questions about your experience with the program? (*If not, ask if another time would be more convenient*). All your answers are confidential and your participation is voluntary. If you don't want to answer a question, just let me know.

We're specifically calling about the case of (*offender name*), involving (*offense*). Do you recall this incident? (*If not, give some details of the offense/offender*).

1. In (*date of offense*), (*offender name*) saw the reparative board as part of reparative probation. The board is designed to address the victim's needs, the community harm and offender responsibility. Did you happen to attend this meeting?

No *Yes* *not sure*

****if yes, skip question 2****

****if no, skip questions 3-6****

2. Did you give any other input for the reparative probation process

No *Yes* *not sure*

If yes, please describe

We'd like to know how satisfied you were with your experience at the reparative board meeting.

3. First, how satisfied were you with your level of participation at the board meeting?

very *somewhat* *neither satisfied* *somewhat* *very*
dissatisfied *dissatisfied* *nor dissatisfied* *satisfied* *satisfied*

4. How satisfied were you with kind of support offered to you by board members during the meeting?

very *somewhat* *neither satisfied* *somewhat* *very*
dissatisfied *dissatisfied* *nor dissatisfied* *satisfied* *satisfied*

5. How satisfied were you that the offender understood how the crime affected you?

very *somewhat* *neither satisfied* *somewhat* *very*
dissatisfied *dissatisfied* *nor dissatisfied* *satisfied* *satisfied*

****if not, ask them to describe why****

6. How much do you feel like (*offender name*) accepted responsibility for the offense?
- | | | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <i>strongly</i> | <i>somewhat</i> | <i>neither denied</i> | <i>somewhat</i> | <i>very much</i> |
| <i>denied</i> | <i>denied</i> | <i>nor accepted</i> | <i>accepted</i> | <i>accepted</i> |
| <i>responsibility</i> | <i>responsibility</i> | <i>responsibility</i> | <i>responsibility</i> | <i>responsibility</i> |

****if not, ask them to describe why****

To refresh your memory, as a result of the reparative processing, the offender was required to (*list contract requirements*).

7. How satisfied were you with this outcome?
- | | | | | |
|---------------------|---------------------|--------------------------|------------------|------------------|
| <i>very</i> | <i>somewhat</i> | <i>neither satisfied</i> | <i>somewhat</i> | <i>very</i> |
| <i>dissatisfied</i> | <i>dissatisfied</i> | <i>nor dissatisfied</i> | <i>satisfied</i> | <i>satisfied</i> |

8. (*if applicable*) How much do you feel like your material losses were adequately addressed?
- | | | | |
|------------------|------------------|------------------|-----------------|
| <i>not well</i> | <i>somewhat</i> | <i>very well</i> | <i>not sure</i> |
| <i>addressed</i> | <i>addressed</i> | <i>addressed</i> | |

****if not, ask them to describe why****

9. Did you feel like the reparative board process as a whole was helpful to feel better about the event?
- | | | | |
|-------------------|-----------------|----------------|-----------------|
| <i>not at all</i> | <i>somewhat</i> | <i>very</i> | <i>not sure</i> |
| <i>helpful</i> | <i>helpful</i> | <i>helpful</i> | |

****if no, ask them to describe why****

10. Would you recommend we continue this program?
- No* *Yes* *not sure*

****if no, ask them to describe why****

I've asked you a lot of questions about your reparative probation experience. Is there anything you think I've missed or something you think I should know?

Thank you very much for all of your help. Your opinions are very important to the Department of Corrections.

Appendix 6. Community Service Site Survey

Phone Log (specify date and time of each attempt to reach the site):

- #1 _____
- #2 _____
- #3 _____
- #4 _____
- #5 _____
- #6 _____
- #7 _____
- #8 _____
- #9 _____
- #10 _____

Hi, this is (*evaluator name*), with the VT Department of Corrections. We're taking a closer look at our reparative probation program—especially the community service piece. Would you be willing to take a few minutes to answer just a few questions about your experience with the program? (*If not, ask if another time would be more convenient*). All your answers are confidential and your participation is voluntary. If you don't want to answer a question, just let me know.

Some of my questions are about your experience with volunteers from reparative probation in general; others will ask if you can recall specific volunteers.

1. Just to clarify, what kind of organization are you? (optional if obvious)

2. In general, how satisfied have you been with volunteer work by reparative probationers? (circle one)

1. *very dissatisfied* 2. *somewhat dissatisfied* 3. *neither satisfied nor dissatisfied* 4. *somewhat satisfied* 5. *very satisfied*

3. What kind of work do you have our volunteers do? (try to get specific answers)

4. Do you remember the following volunteer?

Offender Name: _____ Yes No

If 'yes':

5. How satisfied were you with their work?

1. *very dissatisfied* 2. *somewhat dissatisfied* 3. *neither satisfied nor dissatisfied* 4. *somewhat satisfied* 5. *very satisfied*

6. What kind of work did they do? (try to get specific answers)
(Repeat questions 4-6 for each volunteer on list, use a separate survey form for each)

7. In general, how beneficial was the volunteer work of the probationers to the community?

1. not at all 2.somewhat 3. highly 4. not sure

8. How beneficial was the volunteer work to the probationers themselves?

1. not at all 2.somewhat 3. highly 4. not sure

9. How much is their volunteer work done in the presence of their supervisors?

1. never 2.sometimes 3.most of the time 4.always 5. not sure

10. How often do probation volunteers work with other volunteers who are not probationers?

1. never 2.sometimes 3.most of the time 4.always 5. not sure

11. Would you like to continue having volunteers from reparative probation?

Yes no (If 'no,' why not?)

12. I've asked you a lot of questions about your experience with volunteers from reparative probation. Is there anything you think I've missed or something you think I should know?

Thank you very much for all of your help. Your opinions are very important to the Department of Corrections.