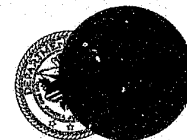


U.S. Department of Justice  
Office of Justice Programs



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# Restitution by Juveniles

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Bureau of  
Justice  
Assistance

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**PROGRAM BRIEF**

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U.S. Department of Justice  
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# Restitution by Juveniles

Information and Operating Guide  
for Restitution Programs

## Program Brief

NCJRS

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Bureau of  
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Assistance

June 1988

**U.S. Department of Justice**  
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The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: National Institute of Justice, Bureau of Justice Statistics, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.



U.S. Department of Justice  
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*Bureau of Justice Assistance*

Office of the Director

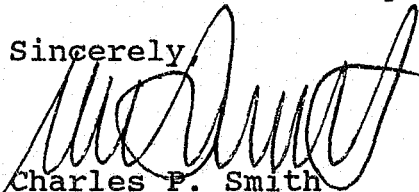
*Washington, D.C. 20531*

I am pleased to present to you the Restitution by Juveniles Program Brief. This Bureau of Justice Assistance (BJA) brief has been designed to guide persons implementing programs that address and provide support to serious juvenile offenders. Specifically, it identifies the critical program elements and performance standards necessary to implement an effective, formal restitution program.

During the last decade, detailed products regarding restitution have been developed under programs funded by the Office of Juvenile Justice and Delinquency Prevention. In this brief, this decade of experience has been summarized and tailored to meet the program development needs voiced by BJA block grantees. It stresses accountability for offenders and the need to document program effectiveness. BJA is presenting this brief in response to the interest in restitution programs, which has grown significantly since 1977. There are now restitution programs being implemented in all 50 states, with most states operating a number of restitution projects. The number of block-funded programs under the Justice Assistance Act of 1984 has more than doubled since BJA began funding technical assistance and training for this effort in 1986.

This program brief is one part of the BJA effort to aid units of government in their fight against juvenile delinquency and juvenile crimes. It reflects the BJA conclusion that formal restitution programs can be effective in establishing offender accountability, providing services for and repayment to crime victims and offering intervention with delinquent youth.

Sincerely,



Charles P. Smith  
Director

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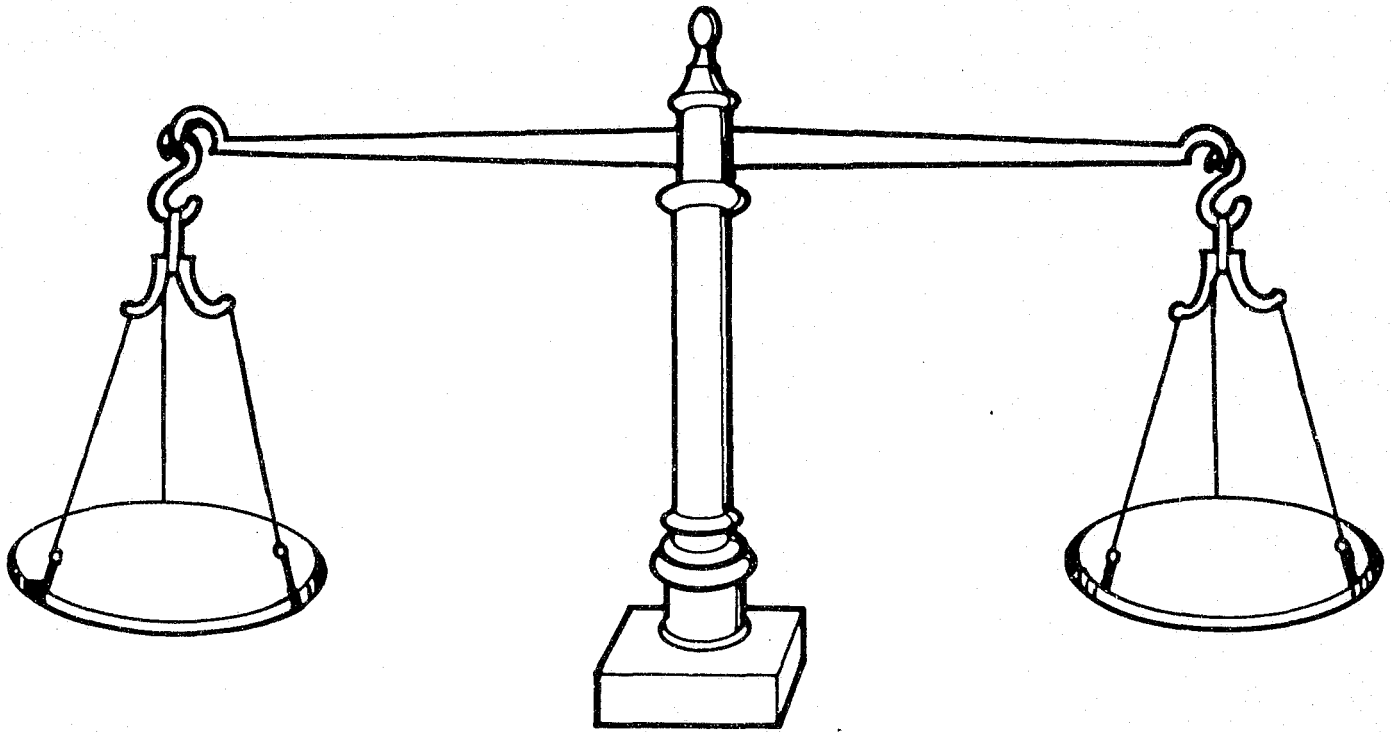
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# RESTITUTION



**Society**

**Individual**

- Legal Sanctions
- Public Protection
- Retribution

- Accountability
- Offender Competence
- Victim Satisfaction

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# The Role of Restitution in Criminal Justice

Due largely to its tremendous flexibility as a sanction and its broad philosophical appeal, restitution emerged in the 1980's as a popular medium range disposition. Viewed by some proponents as a firm, punitive response to crime that provides redress to victims, restitution is also attractive to proponents of rehabilitation. Restitution and community service dispositions are seen as humane and cost-effective alternatives to confinement for many serious or chronic law breakers, and are becoming core components of intensive supervision strategies.

Restitution as a concept is simple. An offender injures a victim in some way, a value is placed on the injury or loss, and the offender pays the victim for the loss or works for the community (symbolic restitution) or the victim to compensate for damages. Restitution differs from victim compensation—which is usually awarded in a lump sum payment for medical and related

expenses sustained by a victim of a serious, violent crime—in that the offender rather than the state or a third party is held directly accountable for damages. Restitution is a vital supplement to compensation programs in that it is often the only means other than civil suits through which victims can recover losses for property.

While basic and easily understood by offenders, victims and the community, the restitution process is much more than a simple clerical function in which judges order community service hours or payments and a court official collects money or monitors service hours. Justice agencies that have been effective in enforcing restitution orders have adopted systematic procedures, or a “programmatic” approach. Successful programs also bring about a noticeable shift in organizational priorities, agency mission, and philosophy.

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# Goal and Philosophy

The underlying goal of restitution sanctions is to hold offenders accountable for their crimes. While restitution is capable of meeting a variety of criminal justice needs and is consistent with several philosophies including punishment, rehabilitation, and victims' rights, the focus on accountability has united restitution programs in recent years. Principles of accountability include:

- An attempt to make the sanction proportionate to the crime;
- An emphasis on restitution as an end in itself rather than a means to some other goal;
- An emphasis on the offense rather than the offender;
- An understanding that the offender (not the parents or someone else) owes a debt to the victim, is responsible for the offense, and should be required to restore the loss.

The message of accountability to the offender is that restitution is something you must do for the victim, not something the court does to or for you. The message to the public is that of a response to crime which more effectively balances the offense and the

sanction and seems to avoid the excesses and limitations of the rehabilitative or individual treatment focus on the one hand, and the punitive approach on the other. Although justice agencies adopting the accountability focus have introduced a new concern with victims and moved away from the therapeutic objectives of traditional casework, restitution programs in reality maintain a strong concern with offenders. By promoting an active engagement in "paying the debt" and in employment and work experience, most restitution programs emphasize behavioral objectives such as building offender responsibility and increased competence. In addition, many agencies with a focus on restitution have effectively addressed public concerns with community protection by developing closely supervised work crews. These efforts increase surveillance by occupying significant portions of the waking hours of high risk offenders in paid and unpaid community service, or in other structured work experience.

Thus, restitution offers a balanced approach capable of integrating several criminal justice goals: accountability, victim reparation, community protection, and offender competence and responsibility.



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# The Development and Success of Restitution Programs

Restitution in the juvenile justice system received a major impetus in 1978 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) initiative which supported 85 juvenile projects intended to provide courts with an alternative to incarceration. These projects, funded by 41 two-year grants, were located in probation and various juvenile court departments, local government agencies, and nonprofit organizations; six grants supported statewide projects.

A comprehensive evaluation based on data collected from the records of 17,000 offenders indicated that restitution programs were effective in meeting a number of objectives:

- Offenders, including serious delinquents, completed restitution orders at a high rate—86 percent of all cases were terminated in full compliance with restitution orders;
- After two years of referral to initiative projects, some \$1,533,000 in restitution had been paid, representing 74 percent of original judicial orders. Ninety percent of this amount was generated by the youths themselves without help from parents or other relatives. Juveniles in restitution projects also completed 259,092 hours of unpaid community service and 4,091 hours of direct victim service;
- Fewer than one in ten individuals reoffended while participating in a restitution program. Even serious and chronic offenders had relatively low rates of recidivism;
- When recidivism rates for subjects randomly assigned to restitution programs were compared in a two-year follow-up with those of offenders assigned to other dispositions (including incarceration), reoffending was significantly lower in the restitution groups.

In addition, virtually all studies indicate that victims receiving restitution have been more satisfied than those who do not, and public surveys indicate strong community support for restitution. Further, the positive performance of chronic and serious offenders in restitution programs suggests that they may offer a cost-effective alternative to confinement. Generally, restitution programs, because they build extensively on community resources, compare favorably in cost with traditional casework probation and parole, especially when monies returned to victims and unpaid work in the community are considered. Since they require active work on the part of offenders and provide a visible, intuitively “just” punishment that results in a remuneration of victims and a contribution to the community, restitution programs often improve the general community confidence in and support of criminal justice.

In recent years restitution has made inroads into all phases of the justice system from diversion and pre-adjudicatory agencies, to those providing residential treatment and aftercare. An estimated 400 juvenile and adult programs have been established in a variety of communities and organizational settings. Although restitution has yet to achieve the implementation success in the adult system that it has in juvenile justice, several model programs are currently operational (many of the best juvenile programs also accept adult referrals), and there has been renewed interest and growing support for expanded use in adult agencies. Since, in many states, public and professional support has been translated into legislation that mandates or strongly encourages restitution, it appears that these sanctions are here to stay.

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# Overcoming Obstacles to the Successful Use of Restitution

Despite well-documented increases in restitution orders and widespread judicial support, rates of compliance with orders vary widely from one court or jurisdiction to another. Many probation departments and other agencies continue to struggle to collect payments. They report ongoing problems with unrealistic orders, with balancing the enforcement of restitution orders against other professional demands and other requirements on offenders, and exacting payments from those without resources or jobs.

All the positive benefits promised for restitution—redress to victims, holding offenders accountable, reducing recidivism—depend on the successful completion of orders. Failure to ensure compliance with orders, on the other hand, sends a message to offenders that the court is not really serious about holding them accountable. This may ultimately demoralize victims as well as staff responsible for collecting and monitoring restitution.

What distinguishes those courts and agencies that have achieved high rates of compliance from those which continue to struggle with restitution? Restitution programs vary widely in sponsorship, purpose, and scope from one jurisdiction to another. The type of restitution takes different forms—money, services to victims or the community—as does how and when it is ordered. Some

agencies perform restitution functions only while others include restitution as just one component of much broader mandates (e.g., probation departments). While diversity and local adaption has been a major strength of the restitution movement, courts and other agencies that are successful in achieving high rates of compliance share one common characteristic: a formal program or “programmatically” approach.\*

A programmatic approach to restitution is very different from the “ad hoc” method still practiced in many courts. A formal program is a systematic set of policies and procedures for determining restitution, monitoring payments and work hours, and enforcing orders. Formal programs are not necessarily complex or expensive, often involving only a reallocation of staff or an increased use of community resources. Programmatic restitution requires that overall responsibility for coordination and quality control be assigned to one professional staff person. However accomplished, a programmatic approach is needed to give priority to restitution within the system.

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\*An experimental test found a 90 percent successful completion rate for offenders randomly assigned to formal restitution programs, and a 45 percent rate for those assigned to make restitution in the absence of a formal program.

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# Block Grant Funding Objectives and Requirements

The Justice Assistance Act of 1984 authorized a block grant program to encourage state and local governments to implement programs addressing violent crime and serious offenders. Administered by the Bureau of Justice Assistance (BJA), this program has allowed state officials to award block grant funds to local or state agencies in purpose areas designated by the Act. Restitution programs were among those "certified" by BJA because of their continuing successful track record in a wide variety of communities and settings.

Although many restitution projects have mobilized diverse sources of financial support from county and city budgets, private foundations and business groups, fees, fines, interagency contracts, and state subsidy funds, Federal dollars continue to play a vital role in initiating new projects and allowing them time to establish credibility. State officials administering BJA and OJJDP block grant monies have awarded funds in a cost-effective way by supporting pilot restitution programs. Even small grants providing an FTE for a Project Director or a Restitution Coordinator are important in securing internal commitment to restitution and in allowing agencies time to attract local funding. Federal funds have also effectively supported ongoing projects by facilitating expansion into new program areas such as victim-offender mediation and employment components. Though program costs vary greatly depending on size of jurisdiction and scope of activities, new restitution projects have been implemented for a relatively small initial investment (as little as \$10-\$20,000 to cover basic staff costs in some small jurisdictions).

BJA's primary goal in this area has been to assist criminal justice agencies to improve compliance with restitution orders by implementing appropriate programmatic approaches. In addition, to promote integration or "institutionalization" of restitution within these agencies at minimum cost, BJA has encouraged the adoption of basic standards, or "critical elements," consistent with the philosophy of accountability.

Critical program elements necessary for effective restitution practice may be divided into two groups. **Organizational** elements define the basic administrative structure required for effective implementation and integration of the program. **Operational** elements are those policies and procedures which are necessary to carry out the restitution process. The list of operational elements presented here assumes a relatively comprehensive restitution program which includes both community service and monetary restitution.

Agencies implementing restitution programs generally discover that their effectiveness and ability to serve both offenders and victims increases as they become more comprehensive or diversified. Nevertheless, all service capacities or program components (e.g., employment services, victim offender mediation) need not be developed at once. Generally, programs are well-advised to start small, making use of a pilot process that begins with the organizational elements, refines monetary and/or community service operations using a small number of test cases, and then develops specialized services consistent with a broader mission.

Time frames for implementing the critical program elements will vary from one jurisdiction to another. Six months should provide sufficient time to have the organizational elements in place, while an additional six months may be needed to implement the operational elements. Overall, one year is generally required to implement a restitution program that will run smoothly and efficiently.

The critical program elements discussed here provide only a basic outline to guide program development. For more complete information and a greater level of detail, the reader is referred to documents listed on page 20, particularly the *Guide to Juvenile Restitution*.

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# Critical Elements of a Restitution Program

## Organizational Elements

### Element 1

Legal and judicial authority and assessment of program or agency liability

### Element 2

Broad support and commitment from justice professionals and community actors who will impact the restitution process

### Element 3

Program planning process

### Element 4

State of project mission and goals

### Element 5

Management information and program evaluation system

### Element 6

Formal independent program identity and staff allocation

## Operational Elements

### Element 7

Designation of target population, formal eligibility criteria, and written screening and referral procedures

### Element 8

Policies for assessing loss and determining monetary and community service restitution

### Element 9

Written procedures for monitoring restitution payments and work, collection of money, and transfer of funds to victims

### Element 10

Written guidelines and approved policies encouraging use of restitution as a "sole sanction" and/or an incentive for early release from supervision

### Element 11

Enforcement/compliance procedures

### Element 12

Employment component or systematic program strategies to ensure legitimate source of payment for offenders with monetary orders

### Element 13

Community service placements

### Element 14

Victim contact, assistance, and participation procedures

### Element 15

Formal procedure for case closure

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## Organizational Elements

### Element 1:

#### Legal and Judicial Authority and Assessment of Program or Agency Liability

##### Purpose

To ensure that restitution practices operate within the bounds of state legislation, that both offenders' and victims' rights are guaranteed at all stages of the restitution process, that the project has institutional authorization to administer restitution, and that the program and staff are afforded maximum possible protection from liability due to accidental injury.

##### Performance Standards

1. A review and summary of state laws and codes as well as local restrictions on type and amount of restitution, special conditions on ordering restitution, and allowable penalties for enforcing orders.
2. Documentation of liability status and insurance needs. Program planners should:
  - Determine if the agency in which the restitution program is located has liability/compensation insurance covering staff, subcontractors, victims, offenders, and support service providers;
  - Determine the availability and applicability of existing coverage provided by relevant level of local government (city, county, or state);
  - Contact local attorneys, state insurance commission members, or other government agencies operating offender work programs for options and/or information;
  - Contact insurance carriers to obtain best coverage and rates.
3. Letter of authorization and support from presiding judge of jurisdiction and other judges who may hear restitution cases.

### Element 2:

#### Broad Support and Commitment from Justice Professionals and Community Actors Who Will Impact the Restitution Process

##### Purpose

To facilitate the broadest possible source of case referral and cooperation with the project, and ensure project longevity with full integration into the criminal justice system.

##### Performance Standards

1. Documented meetings with judges, probation or correctional professionals, prosecutors, defense, police and relevant administration personnel including initial group meetings and individual contacts.
2. A planning group or steering committee of representative criminal justice professionals and advisory board including community leaders to ensure oversight of implementation process.
3. Written progress updates to key actors involved with planning and implementation process and copy of draft mission statement (see Element 4).
4. Memorandum of understanding with each organizational entity (e.g., probation, prosecution) relating to the restitution process.

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### **Element 3: Program Planning Process**

#### **Purpose**

To ensure systematic implementation of restitution program by maximizing input and sharing of information about goals and plans, and to minimize organizational resistance to restitution practices and impact.

#### **Performance Standards**

1. Regular meetings of program committee beginning six months before case intake and continuing throughout the first year of the project.
2. Written specifications on what restitution components will be developed, initially and later, and how they are interrelated (possible components include monetary restitution, community service restitution, employment or job assistance, and victim-offender mediation).
3. Pilot and assessment process with a timeline for implementation of various components and processes, and an agreement on number of cases targeted per month for the first year.
4. General outreach and future funding strategy.
5. If different entities are responsible for monetary and community service restitution (or other program components), one person designated to coordinate all restitution sanctions and requirements and a plan for integrating components.
6. Completion of outline of mission statement.

### **Element 4: Statement of Project Mission and Goals**

#### **Purpose**

To allocate internal resources and activities across offenders, victims, and the community, and delineate the scope and limitations of project activities. To prioritize accountability as a guiding philosophy of the program and suggest implications for change in practices and policies of the parent agency.

#### **Performance Standards**

1. Statement of short- and long-term program objectives as refined in the planning process (e.g., higher rates of successful completion of restitution, lower recidivism, more efficient return of funds to victims) and how these will be achieved.
2. General statement of how program activities will address competency and developmental needs of offenders, community protection concerns, and the needs of victims.
3. Projection of program impact on the parent agency (e.g., probation) with regard to current philosophy and practice: implications of use of restitution and an accountability focus for current casework procedures (e.g., less emphasis on therapeutic, individual treatment requirements; more priority to restitution payment and related behavioristic outcomes).

## **Element 5:**

### **Management Information and Program Evaluation System**

#### **Purpose**

To provide timely, accurate information to restitution project manager and key staff for determining operational effectiveness, monitoring case flow and future service needs, and reporting to parent or funding agencies and the public on a regular basis.

#### **Performance Standards**

1. Design of standardized reports that will provide the most practical information on achievement of project goals and objectives.
2. Development of standardized data forms that include information on:
  - Number of restitution cases admitted to program and number terminated for designated time period (e.g., one year);
  - Current and prior offense and demographic data on these referrals;
  - Total monetary restitution paid and community service hours worked for specified time period;
  - Rate of successful completion of restitution orders (percent of all closed cases during the specified time period complying with restitution order);
  - Average time under court or agency supervision for offenders with restitution orders, those without orders, and offenders under supervision prior to project implementation;
  - Services provided, number of work sites, employers, and use of staff and volunteers.
3. Documented procedures for regularly scheduled record keeping and data entry on:
  - Individual case forms and/or computer files to be completed at intake, closure, and various progress points, and
  - Aggregate data forms or reporting log.
4. Analysis of data at approved intervals to determine program effectiveness and facilitate planning. This should include systematic comparison of restitution performance by offenders prior to the project and afterwards.

5. Reporting schedule and written expectations for monthly or quarterly internal reports to parent agency, advisory board and program committee, and an annual report for the public.

## **Element 6:**

### **Formal Independent Program Identity and Staff Allocation**

#### **Purpose**

To ensure internal prioritization of restitution, visible public identity, and formal assignment of responsibilities until the restitution process is fully incorporated into the justice agency.

#### **Performance Standards**

1. Designation of staffing needs based on planned program components and projected caseload; specification of agency budget allocated to restitution activities and staff.
2. Assignment of one staff person to overall responsibility for program administration, coordination, and quality control.
3. Staff commitment of at least one-half FTE assigned to restitution activities for small courts or criminal justice agencies; one or more FTE for medium to large organizations.
4. Staff training plan/agenda including program and all staff involved with restitution.
5. Flow chart, clarifying organizational relationship of program to other justice system agencies, and designating all restitution responsibilities (see Operational Elements) of program and parent agency—specifying any trade-offs in staff responsibilities as appropriate to avoid workload increase (e.g., reduced probation caseload).
6. Location of program intake in criminal justice case flow which maximizes access to target offender group (see Screening Procedures) with minimal disruption to court and agency processes.

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## Operational Elements

### Element 7:

#### **Designation of Target Population, Formal Eligibility Criteria, and Written Screening and Referral Procedures**

##### **Purpose**

To ensure referral and recruitment of serious offenders and other target groups through clear standards and procedures for inclusion and exclusion, and to enhance placement and development of supervision plan by identifying offender capacities, deficits, and potential risks.

##### **Performance Standards**

1. Eligibility criteria approved and understood by cooperating referral units and staff, defining type of offenders to be excluded from referral to the restitution program (e.g., some programs exclude status offenders and non-adjudicated defendants to prevent netwidening and ensure due process; others exclude chronically addicted offenders pending treatment for dependence).
2. Written target objective of fifty percent of program caseload composed of serious and chronic offenders (definition should be based on local profile of offenders currently being confined as a punitive sanction) to be maintained after first year of operation—though program may focus on less serious referrals to build success in early months of implementation.
3. Placement-focused screening procedures which encourage inclusion of a wide range of offenders and guide selection of the most appropriate restitution requirements, placement setting, and level of supervision given referral's background and offense history, potential risks to public safety, special skills and interests, and special problems such as drug abuse.

### Element 8:

#### **Policies for Assessing Loss and Determining Monetary and Community Service Restitution**

##### **Purpose**

To improve efficiency in assessment of loss and improve coordination between reparative requirements on offenders in order to maximize fairness and uniformity.

##### **Performance Standards**

1. Written guidelines for determining type of restitution to be ordered (e.g., community service may be ordered when the general public is the victim, when there is no clear victim, or as a supplement to a monetary order in cases where the monetary damage is small but the offense is serious).
2. Procedures for coordinating monetary and community service orders and monitoring other related penalties (e.g., fines) if administered by different agencies or organizational entities to ensure that all requirements are realistic and proportionate to the crime and provide for fairness and accountability.
3. Procedures for assessing monetary loss, which specify the role of program staff, judges, and others in this process, using one or more of the following sources: police records, insurance reports, victim loss statements, or victim-offender mediation.
4. Procedures for determining appropriate monetary restitution given loss estimate, ability to pay, and other specified considerations and for determining and setting the value of unpaid work hours using matrix or standardized conversion chart.
5. Written guidelines for judges on appropriate upper limits of restitution orders given program goals and resources.



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**Element 9:****Written Procedures for Monitoring Restitution Payments and Work, Collection of Money, and Transfer of Funds to Victims****Purpose**

To maximize promptness and efficiency in payment of victim, and to ensure that source of payment is legitimate work of the offender.

**Performance Standards**

1. Restitution plan including payment schedule, proportion of wages to be deducted for restitution, work schedule, penalties for missed payments, and all related restitution requirements, which serves as a contract between the offender and the court and allows for offender input.
2. Tracking system utilizing daily case log and/or computer entry log of payment and completion of community service hours.
3. Procedures for monitoring source of payment and work performance involving routine contact with employer or work site supervisor.
4. Procedures for transfer of restitution payments to the victim which designate:
  - Who can receive money from the offender (e.g., probation officers, fiscal officers, program staff);
  - In what form money can be paid;
  - Whether administrative surcharges will be required;
  - Timing of disbursements;
  - Provisions for multiple victims.

**Element 10:****Written Guidelines and Approved Policies Encouraging Use of Restitution as a "Sole Sanction" and/or an Incentive for Early Release from Supervision****Purpose**

To clarify the relationship between restitution and other sanctions; to prioritize accountability by treating restitution as a sufficient punishment for the crime; to avoid an increase in time under supervision and associated increases in staff workload and costs; and to free up probation and correctional resources to focus on more serious offenders.

**Performance Standards**

1. Written directive and/or guidelines for recommending sole sanction restitution for specified types of cases.
2. Written directive stating preference for treating completion of restitution contract as a sufficient condition of release from supervision or as an objective incentive for early release or reduction in the intensity of supervision.
3. By end of first year of project operation, 25 percent of probation or parole caseload should be ordered restitution as a sole sanction.
4. Average time offenders serve on probation or parole supervision should be decreased after one year of program operation.
5. Additional sanctions and treatment requirements unrelated to the restitution process should be minimized.

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**Element 11:  
Enforcement/Compliance  
Procedures**

**Purpose**

To preserve credibility of the entire program and of restitution as a sanction by ensuring a continued high rate of compliance with restitution orders, and to reinforce seriousness of the offense and the restitution order while avoiding an increase in court time and unnecessary use of detention for willful failure to fulfill restitution requirements.

**Performance Standards**

1. Written graduated sanctions for non-compliance (e.g., increased community service hours, curfews, greater proportion of pay allocated to victim).
2. Positive incentives for prompt payment and good work performance (e.g., early release, reduction in level of supervision, keeping greater portion of earnings).
3. The program should strive for a minimum successful completion rate of 70 percent after first six months of operation.

**Element 12:  
Employment Component or Systematic  
Program Strategies to Ensure  
Legitimate Source of Payment for  
Offenders with Monetary Orders**

**Purpose**

To guarantee prompt efficient restitution payments to victims; to provide for widest possible participation of offenders by ensuring that those without income have a means of making monetary payments; to ensure that payments come from legitimate work of offenders rather than illicit activity or from parents; to reinforce through work the value of property and other damages resulting from crimes; to provide structured time and low cost supervision; and to provide a sense of responsibility, work experience and job discipline in competency-building activity.

**Performance Standards**

1. Written estimate of number of offenders who will not have jobs and will require employment assistance and number who will require supervision in a project-sponsored job slot.
2. Written strategies and options for ensuring placement of offenders and criteria for identifying which offenders will be placed in various types of work slots.
3. Outreach strategy to employers and potential work site providers to ensure future placements, ongoing monitoring, and communication with staff of existing job sites.
4. Written agreements for paid slots for restitution cases in private businesses, public agencies with subsidy, and/or project-supervised crew with established source of wages (e.g., employer, subsidy fund, agency contracts).
5. Assignment of relevant job assistance duties (e.g., job preparation, employer outreach, crew supervision) to program staff.
6. Written materials (e.g., brochure) answering employers and/or agency questions about liability, termination, required paperwork, etc.

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**Element 13:**  
**Community Service  
Placements**

**Purpose**

To ensure an adequate supply of quality community service placements and clear understandings with cooperating agencies concerning the expectations and responsibilities of supervision.

**Performance Standards**

1. Estimation of number of individual community service slots and/or crews needed per given number of referrals.
2. Written agency agreements with public or private nonprofit agencies for community service placements and/or work crews specifying expectations and responsibilities of supervision, liability, termination, and paperwork.
3. Guidelines for selecting community service jobs including public value of work, safety, public relations and other criteria.
4. Supervision guidelines and means of assessing and recording worker performance on a routine basis.
5. Orientation sessions, outreach, strategies and feedback to work site employers.

**Element 14:**  
**Victim Contact, Assistance, and  
Participation Procedures**

**Purpose**

To ensure maximum victim involvement and input into the restitution process and the most efficient and equitable determination of loss and payments of restitution; to increase information to victims regarding case status; to improve victim satisfaction and positive attitudes towards the criminal justice process; and to reinforce the connection for the offender between the loss due to the offense and a real victim.

**Performance Standards**

1. Written specification on brochures or program handouts of all services offered to victims (such as assistance in documenting loss, transportation to court, counseling, referral to state compensation funds or civil court, and mediation).
2. Written procedures for notification of victim and routine updates on status of case (standard letters).
3. Forms and process for victim statement of offense and loss.
4. Process for presenting offender with victim's account of loss either through victim-offender mediation, victim-impact statement, or other means.
5. Offender letter of apology and notification of completion of restitution obligations.
6. If project chooses to develop victim-offender mediation component, the following minimal standards should be adhered to:
  - Mediation by trained mediators only;
  - Victim-offender interaction should be on a voluntary basis;
  - Process should conclude with an agreement for restitution in the form of a contract between the offender and the victim.

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**Element 15:**  
**Formal Procedure for**  
**Case Closure**

**Purpose**

To provide offender, victim, and justice agency with formal notice of completion of restitution obligation or failure to complete restitution as ordered.

**Performance Standards**

1. Letter and/or meeting with victim and with offender.
2. Closure form indicating completion of restitution requirements and contract with recommendation to probation that case be terminated.

# Resources for Further Information and Assistance

The vast majority of training and resource materials in the area of restitution programming have developed recently under funding efforts aimed at promoting restitution in juvenile justice settings. However, while many of the resources in the following list reflect this pattern and refer to juvenile offenders, most of the issues addressed are equally relevant to restitution in agencies dealing with adult offenders.

## 1. Technical Assistance and Training

*The Restitution Education Specialized Training and Technical Assistance (RESTTA) Program.* Funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), RESTTA is a comprehensive program designed to promote the use of restitution in juvenile courts. Services available through RESTTA have included national and regional training, "host site" or model program training, on-site technical assistance, and the development of resource and training materials. More recently, RESTTA presents a National Conference on Juvenile Restitution and offers several regional specialized training workshops. For more information on these and other RESTTA services, contact:

Dr. Peter R. Schneider  
RESTTA National Coordinator  
Pacific Institute for Research and Evaluation  
8521 Leesburg Pike  
Suite 290  
Vienna, VA 22180  
(703) 749-9150

*Technical Assistance for BJA Block Grant Recipients.* Technical assistance and training are available to state and local agencies utilizing justice assistance BJA block grant funds for juvenile restitution programs. Services include on-site technical assistance, regional training, and support for participation in approved workshops. For more information about this program, contact:

Dr. Gordon Bazemore  
Project Director  
Pacific Institute for Research and Evaluation  
1777 N. California Blvd.  
Suite 200  
Walnut Creek, CA 94596  
(415) 939-6677

or

Mrs. Dorothy L. Everett  
Restitution by Juvenile Offenders Program  
Bureau of Justice Assistance  
633 Indiana Avenue, N.W.  
Washington, D.C. 20531  
(202) 272-4604

## 2. Training and Resource Guides

*The Guide to Juvenile Restitution.* The *Guide* is a publication of the RESTTA program, prepared for the Office of Juvenile Justice and Delinquency Prevention. It discusses various restitution program models and philosophies, fundamental decisions in programming, key research, and major program components.

*The National Directory of Restitution Programs, 1987.* Another RESTTA publication, the *Directory* provides information on number and specific type of juvenile restitution projects operating throughout the country and lists telephone numbers and addresses of key project contacts.

*The National Restitution Training Series.* These videotapes may be purchased from the National Criminal Justice Reference Service (NCJRS) or borrowed from the Pacific Institute for Research and Evaluation. For information on purchase, contact:

National Criminal Justice Reference Service  
1600 Research Boulevard  
P.O. Box 6000  
Rockville, MD 20850  
(800) 638-8736

*Training and Technical Assistance Monographs and Modules.* The following RESTTA documents and resources provide detailed guidelines and training curricula for addressing one or more of the Critical Program Elements:

"Jobs Components in Juvenile Restitution Programs"; Gordon Bazemore; Pacific Institute for Research and Evaluation in Walnut Creek, CA.

"Monetary Restitution and Unpaid Community Service for Juveniles: Liability and Legal Issues"; Howard Feinman of Eugene, OR.

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"Juvenile Restitution Management Audit"; Marlene Thornton, H. Ted Rubin, and Thomas A. Henderson; Institute for Court Management in Denver, CO.

"Model Evaluation Designs for Restitution"; Norma Earp and Anne Schneider; Policy Sciences Group at Oklahoma State University, Stillwater, OK.

"Compilation of Policy and Procedural Provisions from Juvenile Restitution Programs"; Janice Munsterman and Thomas A. Henderson; National Center for State Courts in Arlington, VA.

"Victim Offender Mediation in the Juvenile Justice System"; Stella Hughes and Anne Schneider; Policy Sciences Group at Oklahoma State University, Stillwater, OK.

For more information on these resource materials, contact the Pacific Institute for Research and Evaluation or the National Criminal Justice Reference Service (NCJRS).

### 3. Reference Resources

A detailed reference document, "Topical Search—Juvenile Restitution," has been prepared by the Juvenile Justice Clearinghouse, NCJRS. It includes abstracts of representative citations on the topic of juvenile restitution. A copy of this annotated bibliography is available from the following source:

National Restitution Resource Center  
Juvenile Justice Clearinghouse/NCJRS  
P.O. Box 6000  
Rockville, MD 20850  
(800) 638-8736