

45622

OFFENDER RESTITUTION PROGRAMS IN GEORGIA

Bill Read, Restitution Program Coordinator
Georgia Department of Offender Rehabilitation
800 Peachtree Street, Room 321
Atlanta, Georgia 30308

TABLE OF CONTENTS

- A. Introduction
 - Clarification of Terms
 - An Overview of Restitution Programming in Georgia
- B. Georgia's Residential Restitution Center Program
 - Offender Eligibility
 - Program Administration
 - Mechanisms of Restitution
 - Victim Involvement
 - Professional Reactions
 - Community Reactions
 - Program Statistics
 - Cost-Effectiveness Factors
- C. Georgia's Non-Residential Sole Sanction Restitution Program
 - Program Administration
 - Offender Selection Procedure
 - The Restitution Plan
 - Financial Restitution
 - Community Service Restitution
 - Victim Involvement
 - Potential Program Impacts
- D. Restitution Programming with Incarcerants
- E. Recommendations
- F. Summary - Future Directions

NCJRS

MAR 9 1978

ACQUISITIONS

OFFENDER RESTITUTION PROGRAMS IN GEORGIA

Introduction

Clarification of Terms. Prior to discussing the use of offender restitution programs in Georgia, it seems worthwhile based upon past experience to first clarify the distinction between the similar but often confused concepts of "offender restitution" and "victim compensation."

Offender restitution refers to payments made to crime victims by offenders themselves, usually to compensate victims for losses incurred through property crimes. This type program can be used only when the offender is caught, convicted, and is able to make restitution.

Victim compensation refers to payments to crime victims made by a government body, usually to compensate victims for medical expenses, lost earnings or wages, burial expenses due to physical injuries, or death as a result of a violent crime. This type program can be used regardless of whether or not the offender is caught, convicted, or is able to make restitution.

Thus, offender restitution refers to a specific criminal justice system program, whereas victim compensation refers to a general social welfare program. Hence offender restitution programs may or may not be used in conjunction with victim compensation programs.

An Overview of Restitution Programming in Georgia. Like most states, Georgia has traditionally used the restitution sanction through general and unstructured local programs administered jointly by the judiciary and the Adult Probation Division, with restitution most frequently being used simply as a condition of probation or in connection with a suspended sentence. Although recommendations regarding the appropriateness of restitution are often made by district attorneys and/or probation supervisors via their pre-sentence investigation reports, the judiciary has historically been provided with little or no formal state-level assistance regarding the development either of restitution decision-making procedures or of innovative programs within which to use restitution.

Recently however, the Georgia Department of Offender Rehabilitation (DOR), of which Adult Probation became a part in 1972, has begun to provide more structure to the use of the restitution sanction in the belief that a more organized and coordinated approach will result both in a greater criminal justice efficiency and in various direct benefits to individual system components, to victims, and to offenders.

The first initiative in the restitution area was a 2-year LEAA pilot residential restitution program designed to divert offenders from incarceration into the restitution program alternative. This program, which is described extensively herein, allows the courts and Parole Board to require offenders to make financial and/or community service restitution while residing at the restitution center under close supervision. This program has proven to be quite popular both with citizens and the criminal justice system, as evidenced by the Georgia legislature--in a year of austerity budgeting--voting to assume total state funding of the program from Fy '77 forward. Additionally, most of the DOR's other residential community facilities have since been modified to incorporate the restitution program policies and procedures developed by the pilot grant.

The second initiative in the restitution area is a new 2-year LEAA pilot program which is intended to expand the range of applicability of the restitution sanction through the development of a formal research-based non-residential restitution program. This program, which is described in general terms herein, draws heavily upon experience gained from the residential program and is designed to realistically and meaningfully address and balance the needs of the criminal justice system, of victims, and of offenders. This program is applicable to a wide variety of offenders, can be implemented at points in the criminal justice system ranging from the pre-plea to post-plea points, and is designed both for ease of expansion in Georgia and for replicability in other states. The program includes the following major program features:

a sole sanction, self-determinant restitution approach to dealing with offenders; an extension of the availability of the restitution sanction to non-property offenders; a combination financial-community service restitution approach which maximizes the ability of victims to be realistically compensated while also making the restitution sanction available to lower income groups; and a redefinition of the role of the probation supervisor as a community organizer/citizen manager.

Georgia's Residential Restitution Center Program

Georgia's residential restitution center program began in Fy '75 as part of a 2-year discretionary grant (#74-ED-99-0004) to the DOR from the LEAA. The restitution component of the grant provided for the establishment of four residential restitution centers in metropolitan areas and was intended to serve as the initial phase of a statewide restitution program. Major goals of the residential restitution program were:

- (1) To reduce the prison population by diverting eligible offenders to the restitution program in lieu of incarceration;
- (2) To involve citizen volunteers in the rehabilitation of offenders from their local community;
- (3) To demonstrate various effective methods of offender restitution;
- (4) To determine the cost-benefit factors associated with a residential restitution program.

Offender Eligibility. The target population of the Restitution Center Program includes both probationers and parolees. An eligible program participant is defined as "any male offender whom the judiciary or the Parole Board would normally incarcerate in lieu of program participation and for whom restitution would be appropriate." Referrals are obtained through direct court sentencing, through direct parole, and through revocation proceedings. Thus, the restitution program functions as a diversionary alternative to incarceration for eligible probationers and parolees.

The Restitution Center Program began under the legal auspices of existing legislation which enabled the DOR to establish a residential restitution program simply by making residence at a restitution center and participation in the restitution program a special condition of the probation order or the parole decree. Failure by an offender to satisfactorily participate in the restitution program results in revocation proceedings being initiated which can result in subsequent incarceration.

Program Administration. The Restitution Center Program consists of centers located in four metropolitan cities--Albany, Atlanta, Macon, and Rome. The centers operate 24 hours per day, seven days per week and have capacities which range from 25 to 33 offenders, with the total residential capacity being 120 offenders. Each center has a basic staff of nine personnel, with the typical staffing pattern being one Superintendent, one Business Manager, one Typist, one Probation/Parole Supervisor, one Counselor II, and four Counselor Aides and/or Correctional Officers. This core staff is supplemented by VISTA volunteers, student interns, and citizen volunteers. Citizen volunteer involvement covers a broad spectrum of activities which range from direct one-to-one contact between citizen and offender to general support and sponsorship of the restitution center program by schools, churches, civic organizations, etc.

Each center is encouraged to develop specific treatment programs based upon their individual needs and abilities. Center staff assist the offender when necessary in locating and maintaining steady employment in the local community and also help the offender to develop a realistic budget plan. The offender must turn in all his pay checks to the Business Manager, who disburses the money each pay period into standard budget category accounts which the offender then draws against on a regularly scheduled basis.

Close surveillance of an offender's behavior and activities continues throughout his residence at the restitution center. Each offender is required to sign out and identify his destination each time he leaves the center and he

is also required to return to the center by a specified time. Periodic overnight home visits with family are contingent upon obeying center rules and satisfactorily participating in center programs during the intervening period.

Each offender receives basic counseling from center staff, and referrals are made to community resource agencies for specialized assistance when necessary. Also, citizen volunteers are actively involved in in-house educational and informational programs and in meeting the needs of individual offenders in a variety of ways. In short, every effort is made to involve the local community in the treatment and rehabilitation of local public offenders, and to increase the offender's awareness of community responsibility.

Mechanisms of Restitution. The Restitution Center Program uses both financial and community service restitution. With probationers, the judge determines whether the probationer must make full or partial financial restitution depending on the circumstances of each individual case. The probationer then begins residence at the restitution center and must save a certain amount of each paycheck toward payment of restitution. Sometimes the probationer is required to reside at the center until the total assigned restitution has been paid. However, usually a probationer who has demonstrated adequate stability and responsibility for several months will be allowed to finish paying his restitution on a non-residential basis. Probationers may also be required to make community service restitution either in lieu of or in addition to financial restitution.

Eligible parolees are typically required by the Parole Board to reside at the restitution center for a specified period of time, to maintain stable employment, and to participate in unpaid community service activities after work on evenings and/or weekends. In such cases, the restitution center staff determine the actual nature and extent of the community service activity. To date numerous forms of community restitution have been used, including such examples as working in mental hospitals and health centers, repairing the houses of aged pensioners to prevent condemnation, working with children in the recreational programs of

church and youth organizations, assisting in volunteer counseling with juvenile offenders, doing charity work, and conducting community clean-up projects.

Victim Involvement. The extent of victim/offender contact in the Restitution Center Program has been minimal, as it has been our experience that most victims prefer just to recover their losses without having further contact with the offender. Consequently, the victim typically simply is sent a letter explaining that the enclosed check represents financial restitution being made by the offender. However, in those cases in which confrontation is feasible and is deemed to be important, center staff will arrange for the offender to repay the victim in a mediated face to face situation. Most such confrontations have been well received by both victim and offender.

Professional Reactions. Professional reactions to the Restitution Center Program have been extremely positive. Judges like the Restitution Center Program because it provides them with an intermediate sentencing alternative between regular probation and incarceration, thus allowing them to measure out a better quality of justice. The Parole Board likes the Restitution Center Program because eligible parolees can be released to a meaningful community transitional experience rather than having to remain incarcerated until eventually being released outright or released to regular parole supervision. Probation/Parole Supervisors like the Restitution Center Program because it often represents a meaningful alternative which they can recommend to the judge in lieu of revocation to incarceration. Also, those supervisors who work directly with the Restitution Center Program greatly like the opportunity to work intensively with their small case-load. Social Workers like the Restitution Center Program because the offender and his family can be worked with in the local community without the extreme family relationship disruption which accompanies incarceration. Also, the offender is able to continue providing family support rather than increasing the family's dependence on welfare.

Community Reaction. Community reaction to the Restitution Center Program concept has also been quite strongly positive, and a broad base of program support has been generated. One aspect of the Restitution Center Program which citizens like relates to their understanding that they may be able to obtain either full or partial restitution of their losses if they should ever become a victim of a public offender. Citizens also especially like the aspect of public offenders working constructively, paying taxes, and partially defraying the cost of their own rehabilitation. Generally, citizens view the restitution concept as a much more positive and accountable response to much of today's crime rather than simply locking the offender away and increasing the tax drain on society.

Program Statistics. Virtually all offenders accepted into the Restitution Center Program have been property offenders, with the major types of convictions being for such offenses as burglary, theft, and forgery. Felony offenses have comprised a total of 85% of all convictions, while misdemeanor offenses have comprised the remaining 15%. Probationers have comprised 82% of all program referrals, while parolees have comprised 18%. White offenders have comprised 57% of all referrals, while black offenders have comprised 43%. Of those offenders released from the program thus far, approximately 66% have been positive terminations (i.e., full release or release to non-residential supervision) and 34% have been negative terminations (i.e., revoked or absconded).

From July, 1975 through December 1976, offenders making restitution in Georgia's residential centers have:

- 1) Paid \$126,897 to victims.
- 2) Paid \$241,690 in state and federal taxes.
- 3) Returned \$342,937 to the state in project income (room and board maintenance charges).
- 4) Spent \$431,704 in the local communities for living expenses such as food, clothing, transportation, and personal items.
- 5) Paid \$139,513 for financial support of their families, thus reducing state welfare costs.

- 6) Saved \$84,156 as nest eggs for use when released from residential supervision.
- 7) Contributed 4,212 hours of unpaid work in public service restitution activities.

Cost-Effectiveness Factors. With regard to the Restitution Center Program, three basic factors have been identified which directly relate to the program's overall cost-effectiveness. These factors are diversion certainty, turnover rate, and efficiency rate. All figures used here are based on current DOR statistics.

1. Diversion certainty. The importance of diversion certainty for a residential diversion-from-incarceration program can be easily seen by considering a few basic cost figures. The annual cost of operating a 30 resident restitution center has proven to be approximately \$116,000. The annual cost of supervising 30 offenders on probation or parole (@ \$205/offender/year) is \$6,150. The annual cost of incarcerating 30 offenders (@ \$4,045/offender/year) is \$121,350. It is therefore quite clear that a residential restitution center cannot be basically cost-effective if it serves offenders diverted from probation. For example, a restitution center serving 50 percent divertees from probation and 50 percent divertees from incarceration would have a basic comparative cost-effectiveness of \$116,000 versus \$63,750 (\$3,075 for field supervision cost plus \$60,675 for incarceration cost). In short, the restitution center would not be cost-effective. Therefore, a primary objective in diversion-from-incarceration programs is an offender selection method which guarantees 100 percent diversion certainty (i.e., a post-sentence selection method using either a judicially amended sentence or a conditional parole).
2. Turnover rate. The importance of the offender turnover rate can also be easily seen by again considering the previous basic cost figures. If we make the fair assumption that most property criminals who are sentenced to prison will normally serve a minimum of 12 months, it is

clear that a restitution center can dramatically increase its basic cost-effectiveness by reducing its turnover rate. For example, since the annual cost of operating a 30 resident center will remain essentially constant, a center with an average turnover rate of six months can serve 60 offenders in 12 months at a cost of \$116,000. However, assuming 100 percent diversion from incarceration, the comparative cost of incarcerating those 60 offenders for 12 months is \$242,700. Likewise, comparative figures for a center with an average 3-month turnover rate are \$116,000 versus \$485,400 for incarceration. Obviously then, an increased turnover rate represents a substantial increase in cost-effectiveness. Thus, another primary objective of a residential restitution program is an offender selection method which allows program staff to be somewhat selective of referral eligibles. In this way, program staff can use priority selection criteria which would operate to increase the total percentage of offenders who could be stabilized relatively quickly and could finish making their restitution on a non-residential basis.

3. Efficiency rate. The efficiency rate, or the percentage of program successes versus program failures (revocations and absconders), is another important factor in a residential center's cost-effectiveness. The reason for this is of course that program failures reduce both diversion cost-effectiveness (i.e., failures are incarcerated, thus reducing comparative incarceration cost-savings) and turnover rate cost-effectiveness (i.e., failures consume space and time, thereby reducing the number of successful program participants who can flow through the program). Thus, a center operating at a 50 percent efficiency rate can expect its basic cost-effectiveness to also be reduced by 50 percent. And here again, one important key to increasing program efficiency is program staff having some control over eligible

offenders referred to the center. Efficiency would increase not only simply because of increased selectivity, but also because of a greater staff commitment to working with those offenders whom they personally selected.

Of course it is recognized that reality is much more complex than the preceding examples. It is recognized that these three factors interact constantly and that there are many other factors, both subtle and overt, that influence ultimate program cost-effectiveness. However, it should also be equally recognized that a residential restitution center which ignores the three basic factors discussed herein is quite likely never to be cost-effective and is in fact probably courting fiscal disaster.

Georgia's Non-Residential Sole Sanction Restitution Program. Georgia's non-residential Sole Sanction Restitution Program began in Fy '77 as a pilot research grant to the DOR from the LEAA (76ED-99-0026). The dual goals of this grant program, which are broken down into numerous specific programmatic and research objectives are:

1. To develop a research-based restitution program which realistically addresses and balances the needs of the criminal justice system, victims, and offenders, and
2. To conduct meaningful research concerning the costs and benefits of such a restitution program in order to further advance knowledge in the area of restitution programming.

Major program features include its "sole sanction nature," (i.e., active probation supervision does not continue after restitution has been made - the offender has at that point finished his current involvement with the criminal justice system.), an emphasis on citizen-supervised community service restitution activities for indigent offenders, and the redefinition of the role of the probation supervisor as a community organizer/citizen manager.

Program Administration. The Sole Sanction Restitution Program is being implemented at both the pre-plea and post-plea interface points in four of Georgia's 42 judicial circuits and involves a total grant staff of 17 persons. At the state level the program is staffed by a Program Coordinator, a Research Consultant, and a Secretary. These individuals are responsible for the overall planning, development, and implementation of both program and research objectives and work in cooperative liaison fashion with DOR personnel and the LEAA to accomplish grant goals.

At the field circuit level the program is being implemented by five Restitution Specialist, five Correctional Casework Aides, and four Typists. These individuals are responsible for developing the program in the field and assisting in the collection of research data. Their primary responsibilities concern functioning in a direct service capacity to offenders, to victims, and to the criminal justice system.

Offender Selection Procedure. Program eligibility is restricted to those offenders from the four experimental judicial circuits who have committed crimes for which restitution is suitable and can be realistically completed within 24 months. Grant personnel conduct pre-plea or post-plea investigations on all offenders meeting program consideration criteria and also develop a proposed restitution plan in conjunction with the offender for submission to the court. Random selection is used to generate comparable experimental and control groups.

The Restitution Plan. The restitution plan consists of a performance agreement which specifies the extent of restitution--both the amount and the type--which the offender agrees to make. The Restitution Specialist develops this plan together with the offender and District Attorney and submits it for court approval, at which time the Restitution Specialist functions as an offender advocate. If the court requires any modification of the plan which the offender is unwilling

to accept, the offender can choose not to participate in the grant program. If acceptable, the restitution agreement is made a part of the conditions of probation.

In some cases, the performance agreement specifies that successful completion of the restitution requirements will constitute the end of the offender's involvement with the criminal justice system, with no active supervision being required after this time. Monthly progress reports are made to the court regarding the offender's progress in making restitution, and any offender who fails to make restitution as specified in the performance agreement is returned to the criminal justice system for appropriate disposition.

Financial Restitution. In order to maximally consider victim compensation, full financial restitution is paid by those offenders who have the earning ability to realistically make such restitution in addition to meeting their other financial needs. Those offenders who can only afford to make partial financial restitution complete the remainder of their restitution obligation through community service restitution. The Restitution Specialist assists the offender in budget planning, debt consolidation, and vocational counseling when appropriate, including agency referrals.

Community Service Restitution. For those offenders who do not have the capability to make full financial restitution, community service restitution is substituted. Service restitution is accomplished through the offender participating in unpaid documented work which is accomplished for the good of the general local community. The dollar value of restitution owed is converted to equivalent hours of service restitution based on the type of service performed, in a manner which accurately reflects fair market value. Service restitution may be either "in-kind" (relating to the offense) or general service restitution

which is unrelated to the offense. Due to the risk of further victimization and/or lawsuits, service restitution is not made directly to victims.

The Restitution Specialist organizes various volunteer citizen committees of local community leaders at social levels to which all offenders can relate. These citizen committees consist of such individuals as businessmen, labor officials, ministers, members of volunteer and charitable organizations, and other lay citizens and serve the function of identifying suitable tasks which offenders can perform to benefit the local community. These tasks must be ones which citizens, victims, and offenders view as being of benefit to their local community. The public offender thus becomes a community resource and asset rather than a community liability.

All community service activities are formally sponsored by local civic, volunteer, charitable, and community organizations. A "key volunteer" member of each respective organization serves as the task supervisor. Depending on the nature of the task, supervision may be continuous, intermittent, or nominal. Only minimal necessary people in each service organization know of the offender's status; the offender is under no obligation to reveal his status to anyone in the organization. This arrangement is designed to eliminate social stigma and to allow the community service activities to be a positive experience for the offender. Subject to realistic limitations of ability, offenders will have expressed an interest in performing this particular type of community service as a means of making restitution. Also, every effort is made to assure that the offender perceives his efforts as valuable and appreciated by the community.

Victim Involvement. After determining the nature and extent of restitution to be made, the Restitution Specialist notifies the victim by letter of the outcome of the case and the expectations which the victim should have concerning restitution by the offender. While the offender is making restitution, the victim is kept informed regarding the offender's progress. If the offender is making

financial restitution, the offender's monetary payments to the victim serve as the progress reports. If the offender is making service restitution, the Restitution Specialist provides the victim with quarterly progress reports detailing the service restitution activities which the offender has performed. If financial and/or service restitution is not made by the offender as scheduled, the victim is notified by the Restitution Specialist of the appropriate reasons and of the expected outcome (e.g., delayed payment, revocation proceeding, etc.). Each victim of course has the opportunity at any time to decline any involvement whatsoever with the restitution program.

Potential Program Impacts. Like all innovative pilot programs, this grant program is small in relation to Georgia's total problems and will have relatively little initial impact on the problems facing the DOR. However, a well-planned experimental program, like a tiny acorn, can lead to an impressive and significant outcome if the seed concept exists in an environment which provides a fertile, growth-enhancing medium. Such is the state of Georgia Corrections today, and this grant concept can be very impactful if it proves successful.

This grant program has the potential to reshape and revitalize the traditional use of the probation sanction in Georgia. By redefining the role of the probation supervisor as a community organizer or citizen manager having the primary function of bringing about effective restitution by offenders, probation supervisors are provided with a realistic vehicle for enlisting organized citizen volunteer involvement in and support of community correctional efforts. If a truly effective means of offender restitution can be developed through this program, the presently loose and varied use of the restitution concept in Georgia can be consistently structured statewide as the program concept expands into all judicial circuits. And, if self-determinant, sole sanction restitution proves effective, it is likely that probation caseloads

would be reduced as a result of faster, more rehabilitative offender turnover. The restitution probation sanction could then become the norm of future non-custodial sentencing, with community restitution facilities continuing to handle the ebb and flow of offenders requiring half-way house supervision.

Restitution Programming With Incarcerants

To date, restitution has not been used to any significant degree with incarcerants in Georgia due both to the legal limitations placed on prison industries and low or non-existent inmate wages. However, with a viable prison industries program, restitution could be used as successfully with inmates as with probationers and parolees. For example inmates could earn their earlier release consideration by successfully making restitution through participation in a prison industries program which would "pay" them for producing quality and quantity products. Under such a plan some of the inmate wages could be returned to the crime victims, some could be used to subsidize the operation of the prison system, and some could be reserved for use by the offender upon his release. In general, it is felt that the restitution sanction has considerable potential usefulness for the entire criminal justice system - both fiscally and programmatically.

Recommendations

Based on experience to date with restitution programming in Georgia, the following recommendations are offered to those persons considering the implementation of such programs:

1. Plan, Plan, Plan. There is still no substitute for good advance planning, especially when a new program is in the works. Time invested initially in background reading in the area, in learning about basic options and alternatives, and in corresponding with and visiting programs will prove well worth the effort. Birthing a new program prematurely just means that corrective medicine will

have to be applied later to nurture the sickly infant and prevent its possible early demise. "As the twig is bent..."

2. Check Enabling Legislation. Obviously this should be done as soon as possible in the planning process. If lucky, you will find existing legislation which authorizes what you want to do (or which clearly limits what you can presently do). If unlucky, you will at least know that enabling legislation must now be written before having proceeded very far with implementation plans.
3. Establish Program Philosophy/Intent. Simply put, what is the basic objective of the program going to be? Is it to divert offenders from incarceration, or is it to provide an additional probation alternative? Is it to focus on offender rehabilitation, or is it to focus on victim compensation? Or, will the program have other objectives? Whatever the case, the program intent should be clearly stated and well explained to all parties concerned, with periodic reminders for reinforcement.
4. Specify Target Population. Whatever target population it is decided to serve, the idea here is to be as specific as is feasible without limiting the program unnecessarily. If there is initial uncertainty concerning an appropriate target population, start with broad (but specific) eligibility criteria and narrow them progressively as experience dictates. Above all, don't set initial eligibility criteria too narrow.
5. Choose An Appropriate Client Selection Method. If at all possible, choose a client selection method which enables program personnel-- at whatever level--to exercise control over client referrals. Such control can prevent a program from becoming a "catch-all dumping ground" and can make the ultimate difference in whether a program is cost-effective. For example, a diversion-from-incarceration program must choose a client selection method which guarantees that clients

are being diverted from incarceration rather than from probation (i.e., post-sentence selection). Likewise, the ability to select from a pool of program eligibles can increase a program's efficiency (success rate) and productivity (turnover rate).

6. Design and Stress Program Cost-Effectiveness. No matter how innovative or worthwhile a program is, it will be extremely hard-pressed to survive unless it is also cost-effective. It is highly recommended that considerable thought be given to this program aspect initially, rather than as an afterthought (or in a funding crisis) later on. All program staff should be well-schooled in the critical importance of documenting cost-effectiveness.

7. Establish a Formal Research Design. A research design is an excellent vehicle for determining the cost-effectiveness of a program in a scientific and documented fashion. Properly done, system administrators will have clearcut evidence that a program is (or is not) functioning in a cost-effective manner. Such information is really quite useful both in securing continuation funding and in identifying areas where a program's effectiveness needs improving. A good research design will provide program data on a continuous basis and will allow administrators to maintain awareness of a program's functioning. Also, some program questions can really only be answered adequately through the use of experimental and control groups.

8. Localize the Program. As much as possible, seek to actively involve the local community to such an extent that they view the program as their program. Active community involvement in and support of a program will make program development much easier and can even mean the difference between ultimate success and failure. Widespread community support is also often critical to obtaining continuation funding until a program has established a "track record." Further, citizen groups can often get many things done quickly and well without

bureaucratic delay and expense. Also, since a restitution program's success and survival will depend to a large degree upon judicial support, it is imperative that input from the judiciary be obtained as early as possible in the program development process.

9. Allow Flexibility/Encourage Creativity. It is recommended that the state (or other governing unit) initially establish and maintain program control through broad program guidelines and standards (e.g., eligibility criteria, selection method, etc.). However, in line with localizing the program, the state should then step back and allow program staff to implement and develop the program in a flexible and creative manner, so long as the broad guidelines and standards are not breached. Circumstances and situations differ widely from place to place, and the tendency to overcentralize programs by doing things one way only must be resisted if a truly viable program is to emerge. There is no "one-way"--there are many roads to the mountain.

Summary - Future Directions

One important future direction which the Georgia DOR is already taking is that of expanding restitution programming. The long range goal is to locate at least one restitution program in each of Georgia's 42 judicial circuits. Obviously such program expansion will require considerable time, money, and local community support. This local support for the growth of community restitution programs will be generated largely by an increased emphasis on involving each local community in the functioning of such programs. For example, the DOR has already begun to organize local civic and community leaders to serve on Citizen Advisory Boards for community correctional programs located in their areas. Additionally, efforts are being made to encourage the establishment of Community Correctional Associations in local communities and jurisdictions. Such citizen groups can help to determine restitution program policies and can be instrumental in soliciting widespread citizen awareness of, involvement in, and support for community correctional programs of all types.

Another future direction involves the increased development and use of community service restitution both in lieu of and in conjunction with financial restitution. The typically low earning power of the public offender and his often realistic inability to make full financial restitution is of course the primary reason for this shift in program emphasis. It is also believed that community service restitution is the area within which the rehabilitative potentials of restitution programming can be most feasibly realized.

A third future direction of restitution programming in Georgia concerns the increased utilization of ongoing research to improve the basic functional efficiency of specific restitution program efforts. The primary research goal is to determine the costs and social benefits associated with such programs so that future restitution program development can be structured to maximize service delivery while minimizing program costs. Current research into the correlation of specific types of restitution programming with the psychological impacts on successful and unsuccessful program participants is intended to improve the selection and rehabilitative aspects of future restitution programming.

Although the Georgia DOR is presently acknowledged to be largely ineffective--with excessive probation caseloads, seriously overcrowded prisons, and a narrow range of sentencing alternatives--DOR administrators are dedicated to providing the leadership required to make Georgia Corrections more effective through the development of a comprehensive program designed both to correct deficiencies in the current system and to make each offender directly responsible for the consequences of his own behavior. This long range plan emphasizes pre-trial diversion programs, a broad range of specialized alternatives to traditional criminal justice sanctions (e.g., restitution programs), a positive and objective system of contracting with inmates whereby they must earn their release from incarceration through active participation in work and treatment programs, and pre-release/aftercare programs designed to smoothly reintegrate ex-offenders back into society. Thus, restitution programming represents only one aspect of the comprehensive system which Georgia is building. However, since the DOR

firmly believes that public offenders must be held responsible and accountable for their behavior in positive and meaningful ways, the future continued development and expansion of restitution programs as an integral part of the improvement of the criminal justice system in Georgia seems inevitable.



END