

UNIT OF OFFENDER REHABILITATION

53405

ISSUES IN IMPLEMENTING THE
SOLE SANCTION RESTITUTION PROGRAM IN GEORGIA



ISSUES IN IMPLEMENTING THE
SOLE SANCTION RESTITUTION PROGRAM IN GEORGIA

PREPARED BY:

JOSEPH AULL
RESEARCH CONSULTANT

NOVEMBER, 1978

GEORGIA DEPARTMENT OF OFFENDER REHABILITATION
OFFICE OF RESEARCH AND EVALUATION
800 PEACHTREE STREET, N.E., ROOM 605
ATLANTA, GEORGIA 30308

TABLE OF CONTENTS

	<u>Page</u>
I. BACKGROUND	1
II. PROGRAM OVERVIEW	6
III. CONCLUSIONS	14
IV. SUMMARY	17
V. RECOMMENDATIONS	18
VI. APPENDIX I.	
Organizational Chart (DOR), Job Descriptions for Restitution grant personnel.	
APPENDIX II. Presentation of research design, discussion of design implementation. Flow chart and narrative of procedures for screening/ selecting offenders for program participation.	
APPENDIX III. Sample forms used to collect data.	
APPENDIX IV. Eligibility Criteria.	
APPENDIX V. Group Assignment Procedure.	

BACKGROUND

Modern restitution and victim compensation programs have developed from the same historic roots. Initially, any wrong-doing was settled between the parties or kin-groups with restitution by the wrong-doer to the offended as the desired outcome. As state authority developed, standardized procedures to settle disputes and to ensure restitution and, possibly, to share revenues collected from the wrong-doer became paramount. As criminal law developed, the interests of the victim were supplanted by those of the state with the victim eventually being largely ignored in criminal proceedings.

Interest in the victim was never entirely lost since a number of proposals considering the victim have been made recurrently. In the 1800's, one writer argued that the offender should be required to make restitution and that victim satisfaction should be an important part of criminal law.¹ Others set forth plans which would require offenders to work to make reparation to their victims, identifying the need for public victim compensation as a supplement to offender restitution.² Currently, however, restitution has been characterized as a probation condition, and is often viewed as an auxiliary to other correctional treatment procedures.³

Restitution in itself is not an effective mechanism for assisting crime victims who have suffered losses since any system of victim reparation dependent on the identification and conviction of the offender will provide redress for only a small number of victims. The small number of victims who might receive restitution is further reduced by the economic conditions of offenders and by other aspects of the criminal justice system. The use of prisons with their traditionally low wage systems limits the capacity

of the offender to meet the victim's needs. The extensive use of plea bargaining also serves to eliminate victims from restitution consideration if conviction is a prerequisite for restitution. Constitutional questions may be raised if offenders are required to make restitution for offenses for which they have not been convicted. The small number of crimes solved through the arrest and conviction of an offender, the generally low socio-economic status of most convicted offenders, low prison wages, and plea bargaining all operate against restitution as an effective remedy for crime victims.⁴

The rehabilitative impact of restitution is a theme expressed by many. Some have argued that the infliction of mental or physical anguish is morally unjustified and that restitution is morally and ethically an appropriate penalty for crime. It is suggested that restitution will have a more beneficial impact on the offender than incarceration or other types of pain.⁵ Others argue that enforced labor is justified to enable the offender to make restitution.⁶ Various proposals which include both institutional and non-institutional labor have been suggested, including a relatively recent alternative developed by Kathleen Smith whereby convicted offenders could be offered the availability of prison labor at the prevailing union wage rates.⁷ From prison earnings, they would provide their own support, support their families, and would pay restitution to the victim.

A number of methods for integrating restitution into the criminal justice system have been developed:

1. as an alternative to prison⁸,
2. as a probation condition⁹,
3. within prison through a revised wage system¹⁰,
4. within a community corrections program¹¹.

Common to these proposals is the suggestion that restitution is rehabilitative to the offender. Theorists argue that:

1. the undoing of one's wrong is an important part of therapy¹²;
2. wrong-doers will either make restitution in some form or rationalize their wrong-doings¹³;
3. restitution can be structured in such a manner that an offender will voluntarily undo his wrongs¹⁴; and,
4. restitution can provide a more constructive focal point for probationer/probation officer interaction than usual probation conditions.¹⁵

The use of restitution as a rehabilitative tool for offenders raises several issues. Central to these is the sufficiency of the restitution sanction: will making restitution, in and of itself, provide sufficient rehabilitative effects to ensure the well-being of the community? Many feel that it will not. One writer argues for a surety bond to be posted by community representatives for imprisoned offenders who have completed restitution. The bond is a pre-condition of release and according to Spencer would be necessary to ensure the offender's continued good behavior.¹⁶ Another writer provides for a discretionary fine as well as restitution.¹⁷ Still another argument states that additional penalties are necessary to protect society as well as to reduce inequities between wealthy and poor offenders.¹⁸ Other theorists discuss the use of restitution in conjunction with other sanctions and do not perceive it as a sole-sanction treatment.¹⁹ Recent experiences of the Minnesota Restitution Center have indicated further that other treatment-like activities must be utilized in conjunction with restitution.²⁰ In contrast to these thoughts, the arguments can be derived that requiring more than exact restitution may create an inequitable situation with the offender becoming the victim.²¹

A related issue is whether restitution should be made to the victim or to society at large. Some proposals require restitution to both - a discretionary fine, for instance, is an example of restitution to the overall society and is imposed in addition to restitution to the victim. The requirement of a dual restitution obligation to the community as well as to the victim is consistent with the legal concept of crime as a wrong against society as well as the individual. Restitution to the individual victim is usually discussed, however, in relation to imposing additional sanctions. One exception is the concept of creative restitution which seems to be directed more toward community service than toward victim compensation.²² The Minnesota Restitution Center experiment provides for both types of restitution although the use of symbolic restitution (restitution to the community through contributed service) has occurred only when actual victims could not be located or did not wish to participate.²³ While logical arguments can be developed to justify either symbolic restitution (to mitigate damage done to the overall society) or specific restitution (to the actual victims of crimes), the extent to which offenders would perceive these obligations is questionable.

Another issue in the implementation of restitution in correctional programs is the desirability of personalizing victim-other contacts. This issue has not received the emphasis that others have, although the assumption is usually one of restitution through a monetary system clearly leading to the potential of avoiding personal contacts. It has been argued that contact with the victim is desirable to reduce the opportunity for harm-doers to rationalize their harm doing.²⁴ Also suggested are direct personal victim-offender contacts in situations involving restitution to the actual victim, and, in the Minnesota program, efforts are deliberately made to facilitate such

contacts. Experience in Minnesota shows that this can be accomplished to some extent at least in the negotiation stages of the restitution agreement.

In summary, the rationale for a restitution program must rest upon its presumed impact on the offender. Restitution, in this respect, is in need of considerable study to test its effectiveness. It is still unknown what impacts systematically organized programs of restitution might have on offenders. In addition to answering this basic question, further research also needs to be conducted to ascertain the differential impact of restitution as a sole sanction contrasted with restitution used in conjunction with other sanctions; the impact of service restitution as compared to financial restitution; and, if possible, the impact of restitution involving personalized victim-offender contacts as compared to restitution without such contacts.

PROGRAM OVERVIEW

Introduction

Georgia's non-residential restitution program was funded by the LEAA in FY 1977. Although residential programs had been developed earlier, this grant initiative represented a first attempt to routinize certain aspects of restitution programming within probation. Program administrators hoped to develop a research based program which would realistically address the needs of the criminal justice system, victims and offenders. To that end certain program components were isolated for study, including:

1. the development of restitution plans or agreements which would encompass offender involvement in the process and extensive investigation into the offender's payment ability and the assessment of loss;
2. the use of community-service in those cases where offenders appeared unable or unlikely to make financial restitution; and
3. the use of restitutive sentencing as a sole-sanction, that is, without other forms of punishment or supervision.

Administration and Staffing

(See Appendix I for organizational chart, job descriptions, etc.)

As originally conceived, the Sole-Sanction Restitution Program (SSRP) was to operate on a pre- and post-incarceration level in four of Georgia's 42 judicial circuits with a total staff of 17. Twelve of the fourteen field staff were divided among the four participating circuits. A restitution specialist, a correctional caseworker aide, and a secretary were teamed in each of the jurisdictions to develop field operations and to collect research data. Another two staff members - a restitution

specialist and a secretary-were to be placed at the Georgia Diagnostic and Classification Center (GDCC). These two staff were expected to serve as liaison between the Parole Board and the field personnel. Expectations were that these personnel would screen prisoners entering from the four participating circuits and develop restitution plans for appropriate offenders.

In addition to the field positions, three central administrative positions were developed. The program was to be coordinated by a planner and a researcher supported by a secretary. These personnel were to be responsible for the overall planning, development and implementation of the program.

Program field staff were assigned to the Department's Community Based Services Division where they were ultimately responsible to the Division's Deputy Commissioner through routine administrative channels. In the Central Office the program's planner was assigned to the Grants Section within the General Services Administration and its researcher was placed with the Office of Research and Evaluation. Thus, all components of the program - field operations, program monitoring and administration, and program evaluation - were separated organizationally, but were operating within appropriate functional areas of the Department.

Program Research

The SSRP was originally developed to achieve programmatic and research goals. Chief among the research objectives was the proposed assessment of the efficacy of restitution as a criminal justice sanction. Although restitution had been used informally for many years, a systematic assessment of the sanction had never been accomplished. It was the intent

of this particular project and of the entire LEAA Restitution Initiative to achieve such an evaluation of restitution. The LEAA had funded seven projects and had contracted with the Criminal Justice Research Center (CJRC) in Albany, New York to provide an opportunity to study restitution at several points of intervention within the criminal justice process.

All aspects of the Georgia project which might impinge on the national evaluation were subject to review and possible change. This was especially true with the development of the program design and selection procedures and local data collection. Initial efforts with the national evaluators produced a preliminary design which appeared to meet research and programmatic needs. (See Appendix II for a complete discussion of the development of program design). The model that was developed did provide for random allocation into treatment/non-treatment groups. In addition, several screening points were provided to allow district attorneys and judges to eliminate inappropriate offenders. Further modifications of the design occurred as the program developed. Unfounded preconceptions and programmatic constraints tended to require attention and continual design adjustment until finally it became unlikely that the initial research goals could be adequately addressed.

Project data collection was the second major research concern. Early efforts were made to develop data forms which would be available for use at project start-up. Although this task was accomplished, local data forms were abandoned once forms were developed by the CJRC. As can be noted from review of an offender data packet contained in Appendix III, these forms were extremely comprehensive. Sufficient data was available from these forms to more than meet local needs. Additional forms were seen to be an unnecessary burden for program field staff, so local attempts at data collection ceased.

Selection Procedures

Admission to the program was to be restricted to offenders meeting certain selection criteria. These criteria included several screening stages involving decisions made by program personnel, the judiciary and the offenders themselves. Initially court dockets were to be examined so that cases deemed ineligible by offense could be eliminated. (See Appendix IV for selection criteria) Immediately following this elimination of ineligible offenses, the remaining cases were to be reviewed to determine where the offender lived. If he did not reside within the circuit in which he was being tried, he was to be eliminated at this point. In this manner, summary screening decisions were expected to eliminate a large portion of the total cases.

Following these initial screening decisions, further review of each potentially eligible case was necessary. This review included weighing such factors as:

1. mental and emotional stability,
2. physical capabilities,
3. tendencies toward violent behavior,
4. prior criminal record, and
5. history of drug/alcohol use.

Although guidelines were developed for each criterion, it was expected that the field personnel would exercise professional judgement as the final determinant in whether or not a particular case would be selected as eligible for the program.

After this screening step, the District Attorney was to be contacted and asked to review the cases selected as eligible. If he concurred with the program decision, then processing would continue. If, on the other

hand, he did not agree, then the case would be summarily eliminated. Following DA approval, the offender would be contacted and asked if he would be willing to participate. If he was willing, then a determination would be made as to his ability to repay the assessed loss. If it appeared that he would be able to repay the loss within the program's specified 24 month period, then a payment plan would be developed and presented to the judge at sentencing. Finally, the judge would be expected to review the case, the completed investigation and payment plan, and decide whether to assign the case to the program.

As can be noted, there are several exclusion points within the process. First, program personnel would attempt to isolate and concentrate on offenders who would appear to be most acceptable to the DA's and judiciary in their circuits. Until the program had stabilized, it was important to reassure local officials that the program was dealing only with relatively stable, non-violent offenders. After community acceptance of the program had been assured, criteria might be expanded to allow more diverse types of offenders to be considered for eligibility.

Although the program was originally intended for implementation at GDCC, early population estimates indicated that insufficient numbers of offenders would be available for proper utilization of the personnel assigned there. Additionally, there was concern that the local judiciary might object to offenders being returned too quickly to the jurisdictions from which they were sentenced. For these reasons, this component was deleted prior to the implementation of the program.

Random Allocation of Offenders

As a special condition of the grant award, random allocation of program offenders into treatment and non-treatment groups was required. It was expected that random assignment would occur immediately after the program had been fully explained to the offender and he had volunteered for participation. Thus, anyone who did volunteer for participation would be aware that he would, by chance, be assigned to:

1. a program of regular probation supervision with no financial sanction,
2. a program of regular probation supervision and payment of service or financial restitution, or
3. a program of payment of financial or service restitution with probation supervision terminated upon completion of the restitution obligation.

The actual procedure for random assignment can be reviewed in Appendix V. It was developed so that field personnel would have a relatively simple method which could be monitored centrally. This in fact did occur, with few actual problems resulting from procedural matters, but with major difficulties resulting from conceptual differences. In fact, early during the program the control group of participants receiving only probation supervision was abandoned and assignment was made solely into early termination and regular probation supervision groups.

Restitution Plans

A detailed performance contract specifying the amount and type of restitution was to be developed for each offender. Any modification made by the court would require approval by the offender as well before he

entered the agreement to participate. Should he not accept the proposed modification, the offender would be able to choose not to participate in the program. All decisions concerning restitution were to be made based on the circumstances of each case.

The restitution plan was to consist of either financial restitution, service restitution, or a combination of both. In all cases, the offender would be expected to complete the restitution requirements within a maximum 24 month period. It was anticipated that the plan would contain a general time schedule by which the offender's progress could be measured, but that fixed, inflexible schedules would be avoided. Even so, offenders who failed to fulfill the performance contract would be subject to return to the criminal justice system for appropriate disposition.

Financial Restitution

Financial Restitution was originally envisioned as monies repaid to victims for losses suffered. It was expected that only offenders who had the earning ability to realistically make such payments while meeting their own needs would be expected to pay financial restitution. Program staff were expected to assist such offenders in budget planning, debt consolidation, and vocational counseling when appropriate. Financial Restitution was expected to be paid from documented personal earnings not from money borrowed to make financial restitution payments. Existing probation procedures would be used to remit payments to victims.

Service Restitution

Program field staff were expected to develop community service options for offenders who might not have the capability to make financial restitution. Service restitution would be accomplished through offender participation in unpaid documented work which would be accomplished for the good of the local community. The dollar value of restitution owed would be converted to equivalent hours of service restitution. It was expected that the conversion value would be based on the type service performed, in a manner which would accurately reflect the fair market value. Service restitution would either be "in-kind" (relating to the offense) or general service unrelated to the particular offense. Direct service to victims was not expected to be used due to the risk of further victimization or lawsuits.

Victim Involvement

It was expected that each victim would be notified by mail as to his case outcome. This letter would provide general expectations about the amount and projected date(s) of payment. While the offender was making payments, his victim would be kept informed about the offender's progress. If the offender were to be making financial payments, it was thought that the monetary payments themselves would serve as progress reports. If the payments were to be made through service, it was expected that the field staff would issue quarterly progress reports detailing the activities in which the offender had been involved. Any disruptions in payments would require notification of the affected victim with an explanation of the reason for the disruption. At any time the victim could decline involvement in these proceedings.

CONCLUSIONS

Restitution

The concept of Restitution is a varied one. Restitution has come to mean many things to many people. To some it may be a cash repayment to the victim for the amount of loss; to others restitution means community service in lieu of a cash fine; and still to others it may be direct service to a particular victim. These are only a few examples of the variety contained in the concept and should indicate a potential problem for any program which intends to study the impact of a systematic usage of restitution..

A great deal of effort was expended during the early days of the program attempting to clarify and define restitution as a concept. It was possible to delineate various forms and to provide lengthy discussion of the major variations. It was also possible to agree which of the alternatives might be most desirable for use in the project. It was not possible, however, to take any one conceptualization and implement it in the field as "restitution." Within each circuit there were at least three employees of the grant program. Additionally, there were other circuit personnel (judiciary and district attorneys) each of whom had his own idea what restitution should be. Admittedly, not all of these different conceptualizations would have a direct bearing on the development of the project, but in each instance sufficient variance occurred to insure that restitution would not be a constant within each circuit.

As it became obvious that restitution had been used extensively for some time in each circuit, it also became obvious that one overriding conceptualization of restitution had occurred through its informal use. Restitution was to most a means of repaying a cash loss to a particular

victim. Macon, however, having had previous experience with symbolic or service restitution, was a logical site to expect further use of service as a criminal justice sanction. Early in the life of the project it was hoped that such an approach-the use of service restitution-might be expanded and used with much more flexibility and creativity. It was also understood that the use of cash repayment would probably continue as the major form of restitution involved. There was little attempt at this early time to provide more than general guidelines as to what constituted restitution. It soon became apparent that such lack of direction and guidance was in error. Once data began to become available it became obvious that many probationers were entering the program who were not actually involved in repayment of restitution. Restitution had come to mean:

1. Community service in lieu of cash fines;
2. Cash payments to victims;
3. Community service in lieu of payment of some victims; and in some instances
4. Cash payments of fines.

To further cloud the issue, in most instances where a restitution obligation did exist, the offender was also assessed a fairly large fine and/or court costs.

All this is to say that in one circuit nearly all cases involved community service restitution with the likelihood that a cash or service fine might be added to the sentence. In other circuits nearly all cases involved cash repayment of a restitution obligation with the likelihood of a service or cash fine. In the last circuit cash and service restitution appeared together, usually in conjunction with a cash service fine. In each instance the method in which restitution was implemented depended on several factors:

1. Prior usage by the courts - In circuits where cash repayment was widely used and accepted, this became restitution.
2. Project efforts - In circuits where service as an alternative to cash payments was stressed to DA's and the judiciary by program personnel, service came to be used fairly extensively; and
3. Types of cases taken into the program - Although in part related to #2 above, project personnel were allowed relative freedom in screening cases so that case types varied widely from circuit to circuit. Where cases involved bad checks, cash restitution was nearly always ordered. If the loss was suffered by the state, then service was a more viable alternative.

Simply, restitution was never clearly defined and used as a single concept. It has retained its varied usage even within this program. With each type of restitution which has appeared within the program, there has been another type treatment offered and one more subgroup to deal with in the analysis of the program results. Due to the variance in type of restitution used, there is not one, but rather there are many types of restitution programs to look at. For instance, is cash restitution coupled with a service fine more effective than service restitution with no fine; or is direct service to the victim for his loss more effective than community service to repay a fine where there has been no actual victim loss.

Such lack of uniformity resulted in further diluting the experimental efforts of the program. Already the lack of a valid control group had severely reduced the potential of the program. The lack of comparability among various offender groups served to weaken the experimental efforts to such an extent that only the substantial number of offenders taken into the program served to make its continuation worthwhile. It was felt that with sufficient numbers of offenders taken into the various program options, at least gross comparisons would be possible. The data from the program would be of limited value, but at least some value would be accrued from its research components.

SUMMARY

SSRP, while successful programmatically, was unable to provide the research data which was initially expected. Two major reasons for this failure have been discussed but one further explanation can be offered, possibly relating the two. As initially conceived SSRP was a broad and far-reaching research effort. In an attempt to answer all questions, the project failed. The few questions for which answers will be found are not even the same as those originally posed. Most have been qualified and reduced in scope to be more manageable. While earnest attempts were made to respond to the original research needs, the scope of those research needs was overwhelming. It soon proved to be impossible to develop the research component in the manner projected.

Many smaller problems were compounded by the fact that attempts were being made in four circuits to implement identical programs. Rather than searching for one solution, four were usually required. Such efforts resulted in costs in time and morale and contributed greatly to the overall failings of the effort. Further, the extent of the initial research expectations such as citizen and victim surveys and offender psychological and attitudinal assessments required skills and expertise beyond that possessed by DOR evaluation personnel.

RECOMMENDATIONS

Since the research data are yet to be analyzed, the following recommendations are based on observation of the project and its development. For approximately one and a half years SSRP evolved. It was never static. As its evolution continued, attempts were made to point the program in the direction originally conceptualized. These efforts were unsuccessful, however, due to the inertia the program had developed.

Thus we come to the recommendations:

1. SSRP was placed within the Community-Based Services Division, a branch of DOR whose chief function is to provide services to the courts and to offenders. It was in large part the Division's mission-service which hindered the project's development. Since judicial cooperation is necessary for the Division's effective operation, it proved extremely difficult for circuit administrators to propose project elements which they feared might alienate the judiciary they were required to serve. Due in part to such hesitancy, the project's research component failed to materialize. This failure was not the fault of any individual or group of individuals, but was dictated in large part by the structure and mission of the organization. Care should be taken in future attempts to implement such research programs. Where key decision makers such as judges are not contained within the organization, strong efforts should be made to involve them throughout the planning and development of the project. If there is a lack of commitment, efforts should be made to relocate the project to an area where decision makers are committed to the project's success.
2. Care should be taken to view the historical data prior to site selection. In a project like SSRP, it would be preferable to select a location where the experimental design represented an experiment. In large part SSRP only duplicated and systematized actions that were common prior to the project's implementation. In each of the experimental circuits wide usage of restitution was evident, so to call SSRP an experiment in restitution is not accurate. More correctly, the ill-fated control group represented the experiment or the departure from the norm. Had the selected circuits had little history of restitution use, the problems would have been different, but perhaps more manageable since there would be less fear of denying restitution to a deserving party. Restitution in this setting would be new and innovative, not so likely to fall victim to the old established routine.

3. Future programs should be developed on a much less extensive basis. The problems encountered in attempting to implement a research program simultaneously in four judicial circuits was another major factor in the failure to produce good research data. Although it might have been possible to develop a single project which would produce good sound data, the attempt to implement a uniform program in four locations met with failure. While this failure did not impact the programmatic aspects of the project, it did make implementation of the project's research component significantly more difficult. While a project of smaller scope would generate fewer cases for analysis, the greater control which should be possible would provide for a much greater likelihood that the project's experimental aspects might succeed.

Further, the research component should be designed to look at relatively limited issues. Unless an extensive budget is available for evaluation, the resources necessary for extensive research goals are simply not available. It would appear much more reasonable to initially propose what is achievable rather than overreaching. Rather than being forced to continually reduce projected research objectives, it would be possible to concentrate on achieving reachable expectations from the outset.

4. Program research needs and their impact on the program's operation should be clearly defined prior to the attempted implementation of the program. If research is to become an integral component of an action program, it is necessary to design the program so that the research efforts might have a reasonable chance for success. It is not possible to achieve such planning unless the research needs are clearly defined, however.

5. Essentially, there is only one overall recommendation. Extensive planning is necessary. Goals and objectives should be clearly defined and they should be reasonable. Efforts should be made to limit the program where possible. Limits should be geographic and theoretical. It is not possible to effectively monitor a program which is geographically distant or which is not completely understood or conceptualized. By all means, where possible, simplify.

FOOTNOTES

¹Jeremy Bentham, Political Remedies for the Evil of Offenses, in The Works of Jeremy Bentham, Now First Collected Under the Supervision of His Executor, John Bowing, Part II (Edinburgh, Scotland: William Tait, 1838), pp. 371-375, 386-388.

²Herbert Spences, Prison Ethics, in Essays: Scientific Political and Speculative, Vol. 3 (New York: D. Appleton and Company, 1892), pp. 165-171, 178-189; Raffael Garofalo, Criminology (Boston: Little, Brown, and Co., 1914), pp. 419-420, 423-435.

³Richard E. Laster, "Criminal Restitution: A Survey of Its Past History," University of Richmond Law Review, Vol. 5 (1970), pp. 71-80.

⁴Ibid.

⁵Spencer, Prison Ethics, pp. 165-171, 178-189.

⁶Giorgio Del Vecchio, "The Problem of Penal Justice," in Considering the Victim: Readings in Restitution and Victim Compensation, ed. by Joe Hudson and Burt Galaway (Springfield, Illinois: Charles C. Thomas, 1975), pp. 85-101.

⁷Garofalo, Criminology, pp. 419-420, 423-435; Spencer, Prison Ethics, pp. 165-171, 178-189; Del Vecchio, "The Problem of Penal Justice," in Considering the Victim, pp. 85-101; Kathleen Smith, A Cure for Crime: The Case for the Self-determinate Prison Sentence (London: Gerald Duckworth and Co., Ltd., 1965), pp. 13-29.

⁸Garofalo, Criminology, pp. 419-420, 423-435; Del Vecchio, "The Problem of Penal Justice," in Considering the Victim, pp. 85-101.

⁹Irving E. Cohen, "The Integration of Restitution in the Probation Services," Journal of Criminal Law, Criminology, and Police Science, Vol. 34 (1944), pp. 315-321.

¹⁰Smith, A Cure for Crime, pp. 13-29.

¹¹Burt Galaway and Joe Hudson, "Issues in the Correctional Implementation of Restitution," in Hudson and Galaway, Considering the Victim, pp. 351-360.

¹²O. Hobart Mowrer, "Loss and Recovery of Community," in Innovations to Group Psychotherapy, ed. by George M. Gazda (Springfield: Thomas, 1968), pp. 130, 133-140, 147, 148.

¹³Stewart Macauley and Elaine Walster, "Legal Structures and Restoring Equity," Journal of Social Issues, Vol. 27 (1971), pp. 173-188.

¹⁴Albert Eglash, "Creative Restitution - A Broader Meaning for an Old Term," Journal of Criminal Law, Criminology, and Police Science, Vol. 48 (1958), pp. 619-622.

¹⁵Cohen, "Integration of Restitution," in Journal of Criminal Law, Criminology, and Police Science, pp. 315-321; Galaway and Hudson, "Issues in the Correctional Implementation of Restitution," in Hudson and Galaway, Considering the Victim, pp. 351-360; and Burt Galaway and Joe Hudson, "Restitution and Rehabilitation: Some Central Issues," Crime and Delinquency, Vol. 18 (1972), pp. 403-410.

¹⁶Spencer, Prison Ethics, pp. 165-171, 178-189.

¹⁷Smith, A Cure for Crime, pp. 13-29.

¹⁸Stephen Schafer, Compensation and Restitution to Victims of Crime, 2nd ed. (Montclair, New Jersey: Patterson Smith, 1970), pp. 117-129.

¹⁹Eglash, "Creative Restitution," in Journal of Criminal Law, Criminology and Police Science, pp. 619-622; Cohen, "Integration of Restitution," in Journal of Criminal Law, Criminology, and Police Science, pp. 315-321.

²⁰Galaway and Hudson, "Issues in the Correctional Implementation of Restitution," in Hudson and Galaway, Considering the Victim, pp. 351-360.

²¹Macaulay and Walster, "Legal Structures and Restoring Equity," in Journal of Social Issues, pp. 173-188.

²²Eglash, "Creative Restitution," in Journal of Criminal Law, Criminology and Police Science, pp. 619-622.

²³Galaway and Hudson, "Issues in the Implementation of Restitution," Hudson and Galaway, Considering the Victim, pp. 351-360.

²⁴Macaulay and Walster, "Legal Structures and Restoring Equity," in Journal of Social Issues, pp. 173-188.

APPENDIX I

Job Description for
Program Coordinator

1. Work in cooperative liaison fashion with DCOR personnel, the Board of Pardons and Paroles, and other grant personnel to fully plan, develop, and implement the grant program concept.
2. Supervise, in conjunction with the Evaluation and Monitoring Services Section of the DCOR, all grant research functions, including the work of the Research Associate and the work of the Evaluation Consultant(s).
3. Coordinate all public relations for the program through the appropriate media and the DCOR Office of Public Information; develop program brochures and pamphlets; attend conferences and workshops wherein the grant program can be publicized.
4. Coordinate the integration of the grant program with ongoing DCOR programs, specifically planning for the future statewide implementation of the grant concept as a program area.
5. Serve as a resource person for grant field personnel and DCOR Community-Based Services personnel regarding the development of the grant concept and/or restitution programming in general.
6. Participate, in conjunction with DCOR Community-Based Services personnel, in the hiring and the regular quarterly evaluations of the Restitution Specialist.
7. Develop, in cooperation with the DCOR Training Section, appropriate training workshops for all grant personnel.
8. Interview and employ the Evaluation Consultant(s).
9. Travel statewide conducting field monitoring to resolve both programmatic and research problems.
10. Travel out of state to required LEAA national meetings regarding grant programs; travel to select national and/or regional conferences at which the grant program can be publicized or at which increased knowledge of other similar program concepts can be obtained to aid in program development.
11. Function as grant manager/monitor: making quarterly reports and special reports to the LEAA; monitoring and approving all grant expenditures; performing quarterly budget analyses; and preparing and submitting any necessary grant adjustments.
12. Maintain an awareness of developments related to the grant concept which occur in other states and/or on the national level.
13. Assume responsibility for justifying the continuation of the grant program on state funding after termination of the grant, if the program has proven successful.

Job Description for
Research Consultant

1. Responsible for providing scientific research designs, methods, and strategies for evaluating program performance.
2. Responsible for ongoing review of pertinent literature, keeping abreast of current restitution research.
3. Responsible for the formulation of the research hypotheses/objectives for evaluation and delimiting scope of evaluation.
4. Responsible for data gathering utilizing scientific research methods, including questionnaire design, coding, keypunching and verification of data.
5. Responsible for maintenance and protection of confidential research data and records.
6. Responsible for developing computer programs employing accepted statistical procedures for data storage and analysis.
7. Supervise field data collectors. Advise and guide data collectors in the use of scientific collection techniques and other related needs.
8. Conduct field inspections of program activities related to grant research.
9. Coordinate information flow between Program Planner, various DCOR divisions, and field personnel.
10. Maintain active professional relationships with research units of other state, federal or local agencies as well as membership in various correctional and research associations.
11. Perform other duties not enumerated above to improve the efficiency of program, evaluation section and department.

Job Description for
Secretary

1. Provide general secretarial support to the Planner and Research Associate.
2. Edit and type all quarterly and monthly progress reports, grant adjustments, papers for public presentation, research reports, special project reports, memorandums, letters, and other grant correspondence.
3. Provide dictation and transcription functions as related to the typing of all grant correspondence.
4. Maintain files containing all grant documents, correspondence, contracts, budgets, and expenditure reports.
5. Coordinate and maintain federally required Daily Time Reports for all grant personnel, notifying the Planner of any delinquencies.
6. Maintain an up to date grant personnel roster.
7. Maintain an inventory control list of all grant equipment.
8. Maintain weekly itineraries of the Planner and Research Associate.
9. Serve as receptionist for the Planner and Research Associate, answering the telephone, scheduling appointments, and providing general information concerning the grant program.

Job Description for
Restitution Specialist

1. Fully orient all prospective program participants to the program intent and requirements, explaining all program conditions.
2. Develop a realistic restitution plan with the offender for review by the court and/or Parole Board.
3. Organize local citizen committees to direct service restitution function; assist these committees in finding tasks and match offenders with these tasks as appropriate.
4. Responsible for all program public relations, speeches, citizen involvement activities at the field level.
5. Provide the courts and Parole Board with monthly reports regarding the offender's progress in making restitution, including a listing of the service restitution activities being performed.
6. Provide victims of program participants with knowledge of case outcome, realistic expectations regarding restitution, and quarterly reports regarding the offender's progress in service restitution.
7. Counsel with program participants, families, and/or employers as needed to ensure compliance with the restitution program and continued progress toward ultimate rehabilitation.
8. Make and follow up agency referrals when appropriate to Vocational Rehabilitation, Department of Labor, mental health agencies, etc.
9. Function as the primary field liaison between the court and/or the Board and other DCOR grant personnel.
10. Assist the Research Associate in data collection required for evaluation purposes, completing all requested research forms and/or questionnaires.
11. Issue delinquent reports and warrants for program violators; make recommendations to the court or the Parole Board concerning revocation of probation or parole.
12. Supervise the Correctional Caseworker Aide in the collection of fines and monetary restitution, and in doing pre-sentence investigations.

Job Description for
Correctional Caseworker Aide

1. Do thorough pre-sentence investigation or post-sentence investigation on all eligible program participants, inclusive of an analysis of the prospective participant's financial situation.
2. Attend sessions of criminal court as appropriate to the needs of the Probation Restitution Program.
3. Conduct case histories and basic initial interviews under the direction of the Restitution Specialist.
4. Assist the Restitution Specialist in the gathering of information for statistical reports as required by grant research and/or DCOR policies and procedures.
5. Explain to program participants the general rules, procedures, and services available through the local probation office and the Restitution Probation Program.
6. The supervision of program participant restitution payment records, including recognition of delinquent payments.
7. Assist in the collection of fines and monetary restitution by notifying the participant of past due payments.
8. Provide basic field work for the probation office such as visiting in the client's homes and places of employment to provide assistance or to verify information, arranging transportation for clients, etc.
9. Request and file office records and pertinent data for use by the Restitution Specialist concerning the clients assigned to their respective caseloads.
10. Attend training seminars as requested in order to better develop professional skills in working with Probation Restitution Program clients.

Job Description for
Typist

1. Provide general filing and clerical functions associated with the grant program.
2. Type all reports and correspondence directed to the courts, the Parole Board, grant personnel, and other DCOR administrative and field personnel.
3. Perform bookkeeping and accounting functions related to the collection of fines, restitution payments, and other financial program matters.
4. Coordinate collection of federally required Daily Time Reports and forward them on a pay period basis to the Probation Restitution Program Planner.
5. Assist the Restitution Specialist in the collection of grant research data.
6. Serve as receptionist for the grant personnel, answering the telephone, scheduling appointments, and handling all general grant information and correspondence activities.
7. Provide other direct support services to the Probation Restitution Program field personnel as appropriate.

DCOR
2-76

BOARD OF CORRECTIONS

COMMISSIONER

ADM. OFFICE OF COMMISSIONER

Executive Assistant
Public Info.
Citizen Action
Investigations
Women's Svcs.
Affirmative Action

EVAL. & MONITORING SERVICES

Assistant Commissioner
General Evaluation
Probation, Parole Eval.
Operations Audits
Staff Grievances
Rules/Regs./Pol./Proc.

RESEARCH CONSULTANT

SUPPORT DIVISION

GENERAL SERV. ADMIN.

Deputy Commissioner

- 1. Fiscal Svcs. acctng. internal audits office svcs. prop./contl.
 - 2. Budget
 - 3. Personnel
 - 4. Food
 - 5. Farm
- Facilities Medical Grants Adm. Planning Consult. Systems Dev.
- PROGRAM COORDINATOR
SECRETARY

OFFENDER ADM.

Deputy Commissioner

- Programs & Diag. Coord.
- Counseling
- Recreation
- Chaplaincy
- Staff Dev.
- Youthful Off.
- Offender Control
- Class./Assignmt.
- Recept. - Release
- Compacts
- Records
- Computation
- Prob./Parole data collection
- Education
- Mental Ret.
- Curriculum Dev.
- Central Office Support

OPERATIONAL DIVISION

PROB/PAROLE SVCS.

Deputy Commissioner

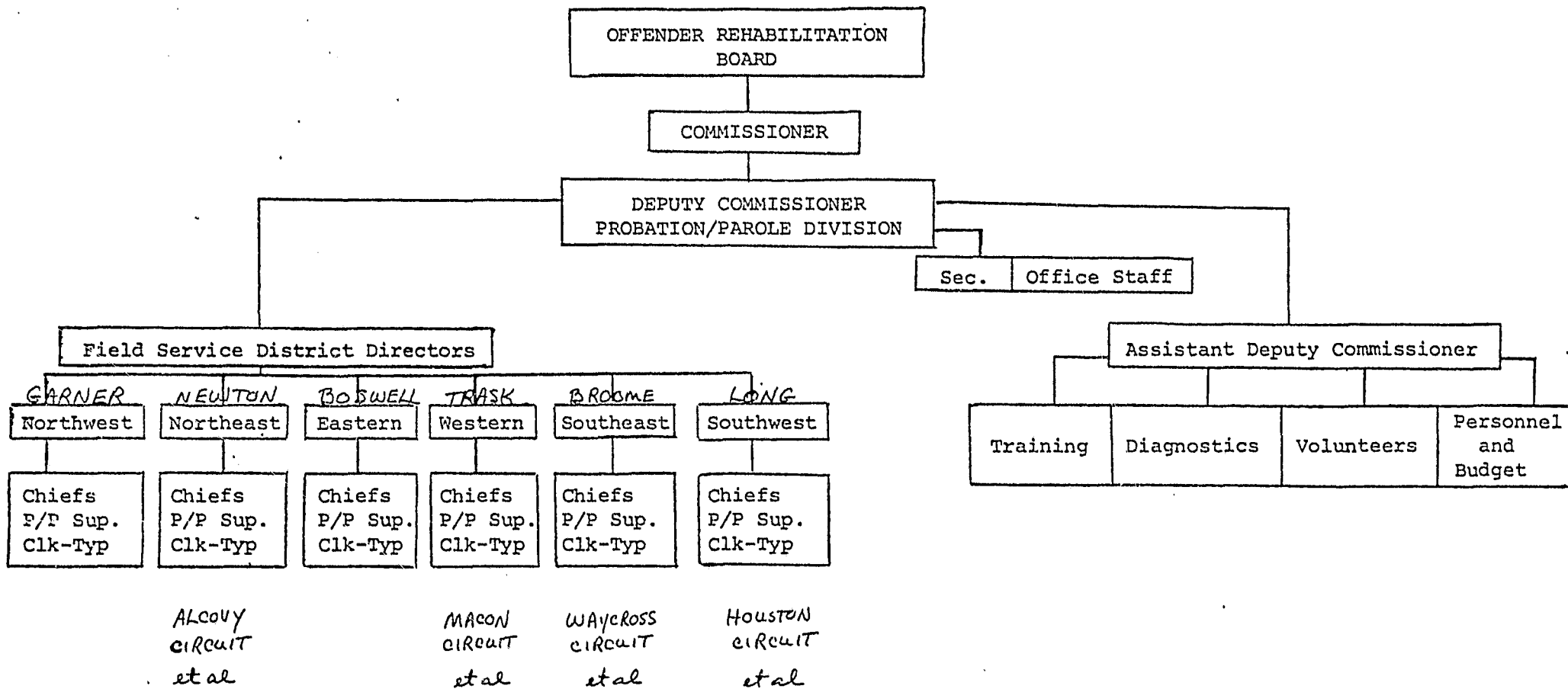
COMMUNITY FACILITIES

Deputy Commissioner

CORRECTIONAL FAC.

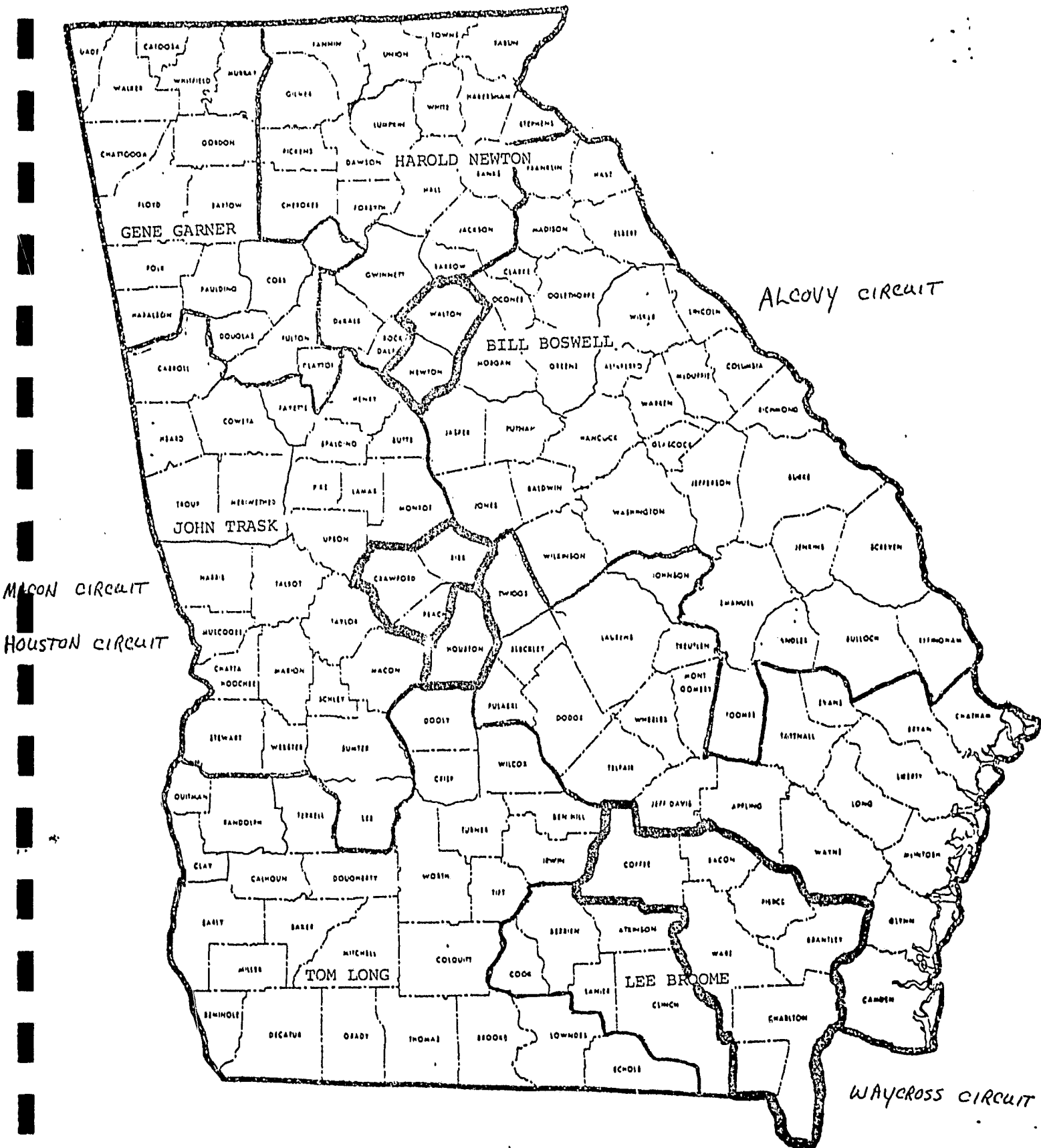
Deputy Commissioner

GRANT FIELD STAFF



EFFECTIVE JULY 1, 1977

COMMUNITY BASED SERVICES
DISTRICT BOUNDARIES



APPENDIX II

The Sole-Sanction Restitution Program was established in four judicial circuits--Alcovy, Houston, Macon, and Waycross. Selection of these circuits occurred prior to the implementation of the grant design, primarily through consultation with CBS Division District Directors and Circuit Chiefs. Those circuits which indicated support and desire for the proposed program were isolated and the four present circuits were selected. Some months later, following program funding October 1, 1976, a tentative program design was developed. (See Attachment 1.) This design included random assignment of offenders into two basic groups--one which involved restitutive sentencing and another which did not. During the month of October, meetings were held with the District Directors and Circuit Chiefs from each of the four experimental circuits to further refine and adapt the proposed design.

Upon completion of this initial round of site-visits a more detailed program design was developed and returned to local administrators for review and comment (see Attachment 2). Upon receiving suggestions, further revisions were made, resulting in the program flow detailed in Attachment 3. This proposal was then presented to grant field personnel for their review and comment at the grant orientation meeting held in December, 1976. Following this session, additional revisions were made, resulting in the development of two proposed program processes. These were refined and in conjunction with a random assignment procedure were adopted as the basic procedures for processing clients. (See Attachments 4 and 5.)

After the process had been in use for several months additional field visits were made. Initially it appeared that the proposed procedures were operative. However, during the site visits held in April, 1977 it became obvious that the experimental control group was not viable. During the two

months of processing, only 2-3 offenders had been assigned to the control group. Although field personnel had attempted to place offenders in the group, these placements had been rejected by judge or district attorney to such an extent that the group was essentially non-existent. Further examination revealed the obvious:

1. The four experimental circuits had a long history of extensive use of restitution.
2. Judges and district attorneys were not willing to allow offenders who were suitable for restitution not to make restitution, resulting in rejection of control group members following their assignment.

Although the judges and district attorneys in each of the four circuits had been made aware of the program, it seemed that there was not a clear understanding of the intent of the content of the design. It had been assumed that sufficient points existed throughout the design to eliminate ineligibles prior to random assignment. Such was not the case, however, and the control group was being lost.

Due to these and other problems it became necessary to develop an alternative program flow. Although it was expected that the original design would remain operative, it no longer provided a valid means of studying the efficacy of restitution as a sentencing alternative. To reestablish a viable research orientation the following alternatives were considered:

1. an evaluation of the efficacy of service as an alternative to financial sanctions;
2. the evaluation of restitution as a sole-sanction as opposed to being used as an add-on sanction; and,
3. the evaluation of restitution in conjunction with intensive supervision as an alternative to incarceration.

The last option was chosen, for even though the number of potential participants was projected as fairly small, it was felt that the research

potential justified the attempt. To that end, the program flow described in Attachment 6 was developed and distributed for review and comment.

From the outset it was known that few, if any, cases would be forthcoming from the Houston Circuit due to very low incarceration rates--30 per year for the past two years. It was projected that Macon would provide over half the cases for the new option. However, the judiciary were not receptive for numerous reasons--primarily the multitude of alternatives available at the time. Discovering this, another attempt to reestablish a random design was instigated, resulting in the flow outlined in Attachment 7, which provides an assessment of the efficacy of SSRP as compared to existent processing and supervision in each of the impacted circuits.

BASIC PROGRAM RESEARCH DESIGN

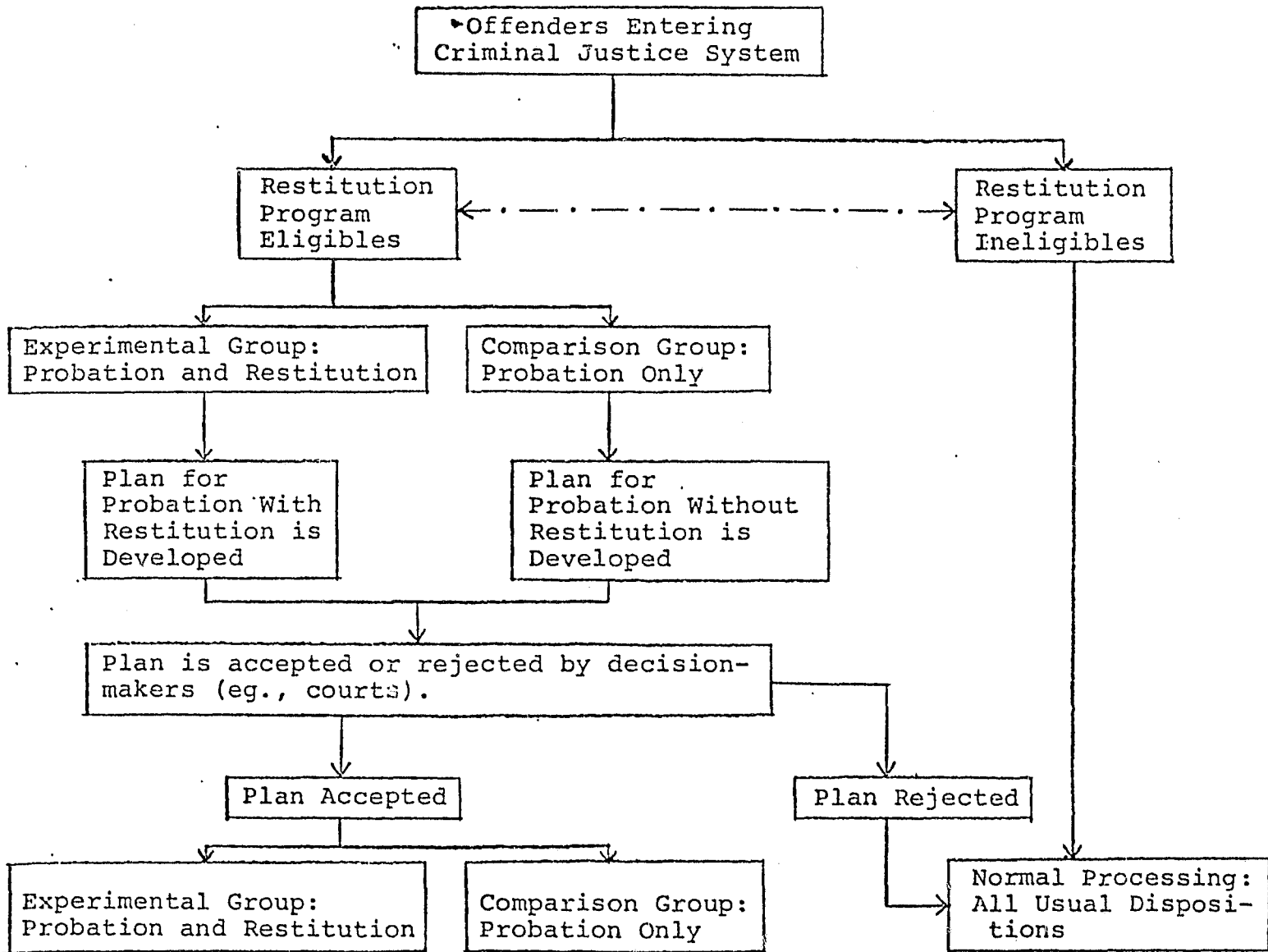


Chart 1

OFFENDER'S CASE APPEARS ON DOCKET

DA's Office Performs Investigation. (provides open files and weekly docket for restitution personnel)

Restitution personnel perform investigation, and case review for restitution suitability determination.

IF "hard case" or IF plan would involve more than 18 months

IF approved by Rest. Spec. and DA

THEN

THEN

Reject and Usual Processing

Theoretical pool of eligibles

Seek approval of DA and client for additional data gathering

IF no

IF yes

THEN reject and usual processing

THEN data collection, random assignment to control experimental groups

CONTROL

EXPERIMENTAL

Assignment to Non-Sole Sanction - Prob. + Financial Rest. Prob. + Service Rest. Prob. only

Prob. + Financial Rest. Prob. + Service Rest.



Chart 1 (continued)

Plan Developed by Rest. Spec.

iA
reviews plan

reject
i - normal
processes

IF accept
THEN - recommendation
to court

IF court rejects
THEN - normal
processes

IF court accepts
THEN - plan made
a condition of sentence
and offender enters
program as control or
experimental

Court asks for and receives FSI

IF successful
THEN offender is
terminated from PP
supervision and exits

IF unsuccessful
THEN offender is
returned to court
for disposition and
cannot re-enter program.

Offender's Case
Placed on Docket:

Close Coordination with the
District Attorney's Office
will be required .



Grant Personnel do Case Review of District Attorney Files
to Determine Basic Program Eligibility:

See attached list of offenses
eligible for program.



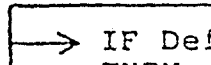
→ IF case is INELIGIBLE,
THEN case is processed normally.

→ IF case is ELIGIBLE,
THEN . . .



Grant Personnel seeks approval of Defense Attorney and
Offender to investigate the case for a possible restitution
recommendation to the DA:

A handout generally describ
the program will be used he



→ IF Defense Attorney/Offender refuse,
THEN case is processed normally.

→ IF Defense Attorney/Client agree,
THEN . . .



Grant Personnel do a Restitution Suitability Investigation

Defense Attorney/Offender w.
be required to sign a Release
of Information authorizatio
form (CBS-11).

IF Restitution is not appropriate for a case, OR
 IF Restitution is appropriate, but cannot reasonably be
 made within 18 months,
 ↓
 THEN case is processed normally.

IF Restitution is appropriate, and
 can reasonably be made within 18 months,
 THEN . . .
 ↓
 Grant Personnel randomly assigns each case to one of three
 groups AND develops a specific restitution plan recommenda-
 tion as appropriate to each group and to circumstances of
 each individual case.

- | | | |
|---|---|---|
| → | 1. Sole Sanction Restitution Group | → |
| | Sole Sanction + Financial Restitution, <u>OR</u> | |
| | Probation + Service Restitution: | |
| → | 2. Normal Probation Restitution Group | → |
| | Normal Probation + Financial Restitution, <u>OR</u> | |
| | + Service Restitution: | |
| → | 3. Regular Probation Group | → |
| | Regular Probation only: no restitution: | |

↓
 Restitution Plan Recommendation is given to
 District Attorney for use in the plea bargaining process:

C

→ IF District Attorney or Defense Attorney reject restitution plan,
THEN case is processed normally.

→ IF District Attorney and Defense Attorney accept restitution plan,
THEN the restitution plan is recommended to the court:

(At this point, the court may or may not request a PSI)

→ IF the court rejects the restitution plan,
THEN case is processed normally.

→ IF the court accepts the restitution plan,
THEN the plan is made a condition of the offender's
probation sentence:

→ IF the offender does not successfully complete all conditions
of his probation,
THEN offender is returned to the court for further disposition.

→ IF the offender does successfully complete all conditions
of his probation,
THEN the offender is terminated from active supervision in
accordance with his particular restitution plan:

PRE-PLEA

<u>Basic Procedures</u>	<u>Comments</u>
Correctional Caseworker screens all new upcoming cases and determines those cases eligible for restitution program consideration.	Close coordination with District Attorney's office is required regarding new upcoming cases. Some cases are screened out due to nature of offense and are processed normally. See attached list of offenses eligible for program consideration.
District Attorney reviews each case eligible for program consideration and <u>either rejects case as unsuitable for restitution or asks court to order that a case investigation be done by Correctional Caseworker before plea</u> in order to determine restitution suitability and develop a restitution plan recommendation if later deemed appropriate.	Some cases are screened out due to District Attorney rejection and are processed normally. Court provides Correctional Caseworker with signed order to conduct pre-plea case investigation.
Correctional Caseworker does preliminary restitution suitability investigation to determine those cases eligible for further restitution program consideration.	Correctional Caseworker screens out all cases not meeting grant program restitution suitability criteria (see attachment) and refers excluded cases to District Attorney for normal processing (District Attorney may or may not eventually make a restitution recommendation to court).
Correctional Caseworker explains restitution program to offender and defense attorney and asks them to sign a CBS-11 Release of Information Form and to agree to cooperate in the development of a specific restitution plan if offender is later determined to be suitable for the restitution program.	Correctional Caseworker explains program goals, methods, options, and outcomes. <u>If offender or defense attorney refuse to sign CBS-11, or if they sign but offender is later determined to be unsuitable for grant program, then case is screened out and is processed normally by District Attorney.</u>
Correctional Caseworker conducts a thorough investigation of all cases eligible for further consideration and provides report to Restitution Specialist.	Correctional Caseworker uses the PSI Format (short <u>or</u> long Form) outlined in the CBS manual, but also focuses on case circumstances relating to restitution.
Restitution Specialist uses attached random selection procedure to assign cases to one of three groups.	Cases are assigned to the three groups in the following approximate percentages: Sole Sanction probation plus restitution (50%); regular probation plus restitution (40%); regular probation without restitution (10%).
Restitution Specialist gathers additional case information as necessary and works with District Attorney and offender/defense attorney toward development of an appropriate and mutually acceptable recommendation for each case.	Per CBS-11 agreement, Restitution Specialist does not provide District Attorney with any case information which could be used to prosecute offender. Restitution Specialist can only make a case recommendation.

After due consultation with all parties, Restitution Specialist presents District Attorney and offender/defense attorney with his case recommendation for acceptance, rejection, or further negotiation.

After all parties agree to a mutually acceptable case recommendation, District Attorney presents case recommendation to court for consideration.

If case recommendation is acceptable to court, offender is sentenced and offender's compliance with specific terms of case recommendation is made a special condition of offender's probation.

The Restitution Specialist will supervise a caseload consisting only of those cases in the three randomly assigned groups in which case recommendations were accomplished to the satisfaction of all parties concerned.

Recommendations developed for either the Sole Sanction probation plus restitution group or the regular probation plus restitution group must involve either a specific monetary (# of \$) or service (# of hours) restitution commitment (or both) by the offender, according to individual case circumstances. Recommendations developed for the regular probation group must not involve any monetary or service restitution by the offender, but a fine can also be a part of the recommendation.

Either District Attorney or offender/defense attorney may reject the Restitution Specialist's case recommendation and Restitution Specialist may be unable to negotiate a compromise. If a mutually acceptable case recommendation cannot be accomplished, Restitution Specialist advises court of this and District Attorney makes his own case recommendation to court.

Court has usual option to reject case recommendation altogether or to require some further modification of case recommendation.

All other cases will be supervised by regular probation personnel, even though some form of restitution may comprise a part of their sentence.

POST-PLEABasic Procedures

Correctional Caseworker screens all new upcoming cases and determines those cases eligible for initial restitution program consideration.

District Attorney reviews all cases eligible for program consideration and screens out additional cases which he views as unsuitable for further restitution program consideration.

District Attorney conducts usual plea-bargaining process with offender/defense attorney and prepares his case recommendation (which may or may not involve restitution.)

After offender enters plea, District Attorney asks court to order that a more thorough investigation be done by Correctional Caseworker on certain cases in order to determine restitution program suitability and to develop a restitution plan recommendation if later deemed appropriate.

Grant program is explained by Correctional Caseworker to offender and defense attorney and they are asked to agree to cooperate in the development of a specific restitution plan if later deemed appropriate.

Comments

Close coordination with District Attorney's office is required regarding new upcoming cases. Some cases are screened out due to nature of offense and are processed normally. See attached list of offenses eligible for program consideration.

Cases which are screened out due to District Attorney rejection are processed normally.

While plea-bargaining process is going on, Correctional Caseworker does preliminary case investigation on remaining eligible cases and screens out all cases not meeting grant program suitability criteria (see attachment). Correctional Caseworker notifies District Attorney of certain cases for which a more thorough investigation is desired.

Court provides Correctional Caseworker with order to do PSI on certain cases and District Attorney defers making recommendation to court pending outcome of Correctional Caseworker investigation. All other cases are processed normally.

If offender or defense attorney refuse to agree to cooperate in the development of a restitution plan, or if they agree to cooperate but offender is later determined to be unsuitable for the grant program, then case investigation is processed normally (which may or may not result in a restitution recommendation to court.)

Correctional Caseworker conducts a thorough investigation of all eligible cases and provides report to Restitution Specialist.

Restitution Specialist uses attached random selection procedure to assign cases to one of three groups.

Restitution Specialist gathers additional case information as necessary and works with District Attorney and offender/defense attorney to develop an appropriate and mutually acceptable recommendation for each case. After due consultation with all parties, Restitution Specialist presents District Attorney and offender/defense attorney with his case recommendation for acceptance, rejection, or further negotiation.

After all parties agree to a mutually acceptable case recommendation, District Attorney presents this case recommendation to court for consideration.

If case recommendation is acceptable to court, offender is sentenced and offender's compliance with specific terms of case recommendation is made a special condition of offender's probation.

The Restitution Specialist will supervise a caseload consisting only of those cases in the three randomly assigned groups in which case recommendations were accomplished to the satisfaction of all parties concerned.

Correctional Caseworker uses the PSI Format (short or long Form) outlined in the CBS manual, but also focuses on case circumstances relating to restitution.

Cases will be assigned to the three groups in the following approximate percentages: Sole Sanction probation plus restitution (50%); regular probation plus restitution (40%); regular probation without restitution (10%).

Recommendations developed for either the Sole Sanction probation plus restitution group or the regular probation plus restitution group must involve either a specific monetary (# of \$) or service (# of hours) by the offender, according to individual case circumstances. Recommendations developed for the regular probation group must not involve any monetary or service restitution by the offender, but a fine can be a part of the recommendation.

Either District Attorney or offender/defense attorney may reject the Restitution Specialist's case recommendation and Restitution Specialist may be unable to arrange a compromise. If a mutually acceptable case recommendation cannot be accomplished, Restitution Specialist advises court of this and District Attorney makes his own case recommendation to court.

Court has usual option to reject case recommendation altogether or to require some further modification of case recommendation.

All other cases will be supervised by regular probation personnel, even though some form of restitution may comprise a part of their sentence.

Flow Process for Incarceration Diversion

Remarks

Offender sentenced to incarceration

Offender arrested pending revocation hearing

Screen cases; exclude by:
residence
violent/sex offenses
jury trial

Screen cases; exclude by:
residence
new crime commission
supervisor recommendation

If supervisor will recommend revocation, then include the case. If he has doubts about recommending revocation/incarceration then don't continue with the investigation

If eligible, ask Clerk of Court to hold these cases pending investigation

Establish authority via judge

Perform intensive Investigation of Potential Eligibles, reviewing:

If necessary to obtain information, have offender sign Release Form (CBS 11) if he is interested in possible program entry

1. Prior Record
2. Relationship with alcohol/drugs
3. History of escapes
4. Employment History
5. Release Plans
6. Recommendations from CJ personnel, relatives, etc.
7. Psychological Background (includes Psycho-diagnostics)
8. Family History

Use your own judgement to identify possible eligibles

Document reasons for non-eligibility decisions on data forms

If identified as possible eligible, obtain informal program approval from DA/judge

DA/judge contact may occur during routine course of investigation

If not eligible, notify Clerk of Court if appropriate

If approved by DA/judge, call Joe for random group assignment

If case falls in the non-release (C) group, notify Clerk of Court if appropriate

If case falls in the release (E) group, formalize restitution plan and present to court for ratification

Involve offenders in plan development

Judge may want to modify plan before ratification, but no plan should be rejected after initial approval

Document diversion from incarceration via amended sentence or amended probation decree

Notify Clerk of Court, other concerned parties as appropriate.

PRE-PLEABasic Procedures

Correctional Caseworker screens all new upcoming cases and determines those cases eligible for restitution program consideration.

District Attorney reviews each case eligible for program consideration and either rejects cases as unsuitable for restitution or asks court to order that a case investigation be done by Correctional Caseworker before plea in order to determine restitution plan recommendation suitability and develop a restitution plan recommendation if later deemed appropriate.

Correctional Caseworker does preliminary restitution suitability investigation to determine those cases eligible for further restitution program consideration.

Correctional Caseworker explains restitution program to offender and defense attorney and asks them to sign a CBS-11 Release of Information Form and to agree to cooperate in the development of a specific restitution plan if offender is later determined to be suitable for the restitution program.

Comments

Close coordination with District Attorney's office is required regarding new upcoming cases. Some cases are screened out due to nature of offense and are processed normally.

Some cases are screened out due to District Attorney rejection and are processed normally. Court provides Correctional Caseworker with signed order to conduct pre-plea case investigation.

Correctional Caseworker screens out all cases not meeting grant program restitution suitability criteria and refers excluded cases to District Attorney for normal processing (District Attorney may or may not eventually make a restitution recommendation to court).

Correctional Caseworker explains program goals, methods, options, and outcomes. If offender or defense attorney refuses to sign CBS-11, or if they sign but offender is later determined to be unsuitable for grant program, then case is screened out and is processed normally by District Attorney.

Correctional Caseworker ascertains if offender will be able to complete payment of his obligations within 24 months.

Restitution Specialist makes random assignment of eligible offenders to one of two groups.

Restitution Specialist gathers additional case information as necessary and works with District Attorney and offender/defense attorney toward development of appropriate and mutually acceptable recommendations for each case.

After due consultation with all parties, Restitution Specialist presents District Attorney and offender/defense attorney with his case recommendation for acceptance, rejection, or further negotiation.

Based on preliminary income and loss assessment, restitution personnel estimate payment ability. If it appears that the offender cannot pay service and/or cash within 24 months, he is screened out and returns to normal processing.

Offenders are allowed to participate or not, based on outcome of random assignment. If an offender is assigned to the non-participatory group, he is returned to normal processing. If he participates, then the Correctional Caseworker will conduct a thorough investigation from which a sentence recommendation will later be developed. Although program contact ends with non-participatory group, additional data will be collected from these offenders at a later time.

Per CBS-11 agreement, Restitution Specialist does not provide District Attorney with any case information which could be used to prosecute offender. Restitution Specialist can only make a case recommendation.

Recommendations developed for either the Sole Sanction probation plus restitution group or the regular probation plus restitution group must involve either a specific monetary (# of \$) or service (# of hours) restitution commitment (or both) by the offender, according to individual case circumstances. Recommendations developed for the

regular probation group must not involve any monetary or service restitution by the offender, but a fine can also be a part of the recommendation.

After all parties agree to a mutually acceptable case recommendation, District Attorney presents case recommendation to court for recommendation.

Either District Attorney or offender/defense attorney may reject the Restitution Specialist's case recommendation and Restitution Specialist may be unable to negotiate a compromise. If a mutually acceptable case recommendation cannot be accomplished Restitution Specialist advises court of this and District Attorney makes his own case recommendation to court.

If case recommendation is acceptable to court, offender is sentenced and offender's compliance with specific terms of case recommendation is made a special condition of offender's probation.

Court has usual option to reject case recommendation altogether or to require some further modification of case recommendation.

The Restitution Specialist will supervise a caseload consisting only of those cases in the three randomly assigned groups in which case recommendations were accomplished to the satisfaction of all parties concerned.

All other cases will be supervised by regular probation personnel, even though some form of restitution may comprise a part of their sentence.

POST-PLEABasic Procedures

Correctional Caseworker screens all new upcoming cases and determines those cases eligible for initial restitution program consideration.

District Attorney reviews all cases eligible for program consideration and screens out additional cases which he views as unsuitable for further restitution program consideration.

District Attorney conducts usual plea-bargaining process with offender/defense attorney and prepares his case recommendation (which may or may not involve restitution.)

After offender enters plea, District Attorney asks court to order that a more thorough investigation be done by Correctional Caseworker on certain cases in order to determine restitution program suitability and to develop a restitution plan recommendation if later deemed appropriate.

Grant program is explained by Correctional Caseworker to offender and defense attorney and they are asked to agree to cooperate in the development of a specific restitution plan if later deemed appropriate.

Comments

Close coordination with District Attorney's office is required regarding new upcoming cases. Some cases are screened out due to nature of offense and are processed normally.

Cases which are screened out due to District Attorney rejection are processed normally.

While plea-bargaining process is going on, Correctional Caseworker does preliminary case investigation on remaining eligible cases and screens out all cases not meeting grant program suitability criteria .

Correctional Caseworker notifies District Attorney of certain cases for which a more thorough investigation is desired.

Court provides Correctional Caseworker with order to do PSI on certain cases and District Attorney defers making recommendation to court pending outcome of Correctional Caseworker investigation. All other cases are processed normally.

If offender or defense attorney refuse to agree to cooperate in the development of a restitution plan, or if they agree to cooperate but offender is later determined to be unsuitable for the grant program, then case

Correctional Caseworkers ascertain if offender will be able to complete payment of his obligations within 24 months.

Restitution specialist makes random assignment of eligible offenders to one of two groups.

Restitution Specialist gathers additional case information as necessary and works with District Attorney and offender/defense attorney to develop an appropriate and mutually acceptable recommendation for each case. After due consultation with all parties, Restitution Specialist presents District Attorney and offender/defense attorney with his case recommendation for acceptance, rejection, or further negotiation.

investigation is processed normally (which may or may not result in a restitution recommendation to court.)

Based on preliminary income and loss assessments, restitution personnel estimate payment ability. If it appears that the offender cannot pay service and/or cash within 24 months he is screened and returns to normal processing.

Offenders are allowed to participate or not, based on outcome of random assignment. If an offender is assigned to the non-participatory group, he is returned to normal processing. If he participates, then the Correctional Caseworker will conduct a thorough investigation from which a sentence recommendation will later be developed. Although program contact ends with the non-participatory group, additional data will be collected from these offenders at a later time.

Recommendations developed for either the Sole Sanction probation plus restitution group or the regular probation plus restitution group must involve either a specific monetary (# of \$) or service (# of hours) by the offender, according to individual case circumstances. Recommendations developed for the regular probation group must not involve any monetary or service restitution by the offender, but a fine can be a part of the recommendation.

If case recommendation is acceptable to court, offender is sentenced and offender's compliance with specific terms of case recommendation is made a special condition of offender's probation.

The Restitution Specialist will supervise a caseload consisting only of those cases in the three randomly assigned groups in which case recommendations were accomplished to the satisfaction of all parties concerned.

Court has usual option to reject case recommendation altogether or to require some further modification of case recommendation.

All other cases will be supervised by regular probation personnel, even though some form of restitution may comprise a part of their sentence.

APPENDIX III

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

Revised 1/1/78

Intake data to be completed for all offenders initially screened eligible.

Offender's Name _____

Offender's Social Security #: _____

Offender's State ID # (GCIC): _____

Offender's FBI #: _____

Offender's Indictment/Accusation #: _____

1. VENUE: Court through which offender is
is being processed

- 1 = State Court
- 2 = Superior Court

-List the county on the line following
the court code.

1. VENUE Court _____
County _____

2. JUDGE: Sentencing judge

2. JUDGE _____

3. SOURCE: Source of case

- 1 = routine screening of indictment
list/arraignment calendar
- 2 = referral by DA/solicitor
- 3 = referral by judge
- 4 = referral by DA -- Diversion
Program (Macon Circuit only)
- 5 = transfer from other caseload
- 6 = other (specify)

3. SOURCE _____
Specify _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

I. Initial Screen (Present Offense/Residence)

4. SSDAT: Date

4. SSDAT _____

II. DA/Solicitor Review

Check here if the case was not reviewed by the prosecutor or his representative (e.g., the investigator). Skip to item 6.

5. DAOUT: Outcome of DA screening

- 1 = eligible
- 2 = ineligible (list reasons and end packet after this item)

5. DAOUT eligible, processing continues
 ineligible

Specify reasons _____

If ineligible, end packet here.

I. Suitability Screen (Prior Record)

6. PSSOUT: Preliminary suitability screen outcome

6. PSSOUT

- eligible, processing continues
- ineligible, more than one prior felony conviction
- ineligible, chronically addicted to drugs/alcohol
- ineligible, mental/emotional impairment not treatable as out-patient
- ineligible, offender has non-negotiable detainers
- ineligible, offender is a professional criminal

Check all that apply

(CONTINUED ON NEXT PAGE)

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

ineligible, offender has history of dangerous behavior. List prior offenses which define this behavior

ineligible, physical handicap which might prohibit participation (specify: _____)

other (specify: _____)

If ineligible, end packet here.

A. Prior Adult Record

If the offender has no prior record as an adult check this box and proceed to Alcohol/Drugs (Section B).

7. ARRONE: Date of first arrest as an adult

7. ARRONE _____

8. MISCON: Total number of known prior misdemeanor convictions
00 = none
01-96 = actual number of convictions
98 = unknown

8. MISCON _____

-Enter the exact number of convictions known to be misdemeanors. Any entries in the record that are unclear as to whether felony or misdemeanor should be ignored in this tally.

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

9. FELCON: Total number of known
prior felony convictions

00 = none

01-96 = actual number of convictions

98 = unknown

-See instructions for MISCON, above.

9. FELCON ___

10. PRORVA: Number of probation revo-
cations -- adult

0 = probation imposed but never
revoked

1-5 = actual number of revocations

6 = 6 or more

7 = not applicable, never on pro-
bation

8 = unknown

10. PRORVA ___

11. PAREVA: Number of revocations from
parole for which returned to incar-
ceration -- adult

0 = released

1-5 = actual number of revocations

6 = 6 or more

7 = not applicable, never on parole

8 = unknown

11. PAREVA ___

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

12. PRLIST: List of prior adult offenses and dispositions

-Code the prior adult record in the columns provided on the answer sheet or append a xerox copy of the complete record. Code all offenses known to be available to district attorney or judicial decision-makers.

-If more than 8 prior offenses, continue in space below.

	Offense	Statute	Date	Disposition
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

B. Alcohol/Drugs

13. ALCUSE: Offender's history of alcohol use

13. ALCUSE ___

- 0 = none
- 1 = light use
- 2 = moderate use
- 3 = heavy use
- 4 = alcoholic classification
- 5 = reformed alcoholic
- 6 = unknown

- Code "1" reflects light social usage, not generally considered debilitating in any way. Alcohol use did not inhibit work/school performance, family relations, etc.
- Code "2" moderate use indicates occasional problems, where alcohol use had been known to impinge upon work, family obligations somewhat but without permanent harm, e.g., loss of job, separation from family, assaults while drunk, arrest.
- Code "3" if alcohol use significantly impinges upon work, family/social relationships. Formal job discipline or firing as a result, separation (voluntary or involuntary) from family for 1 or more days, assaultive or suicidal behavior while drunk.
- Code "4" alcoholic -- if the offender is in a perpetual state of craving for alcohol, i.e., alcohol consumption is the central factor in his/her life, he/she cannot function without it. Offender had been subject of voluntary (AA) or involuntary (court-directed) attempts to cure.
- Code "5" if the offender had previously been in a state described in code "4" but is now reformed ("cured").
- Code "8" if no information appears on alcohol use.

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

14. ALCRIM: Does the offender's prior record indicate any relationship between the use of alcohol and his/her criminal behavior

- 1 = yes
- 2 = no
- 8 = unknown/no record

14. ALCRIM ___

15. DRGUSE: Offender's history of drug use

- 0 = none
- 1 = light use (includes experimental use of marijuana)
- 2 = moderate use
- 3 = heavy use
- 4 = addicted
- 5 = reformed drug abuser
- 8 = unknown

15. DRGUSE ___

16. DRGCRM: Does the offender's prior record indicate any relationship between the use of drugs and his/her criminal behavior

- 1 = yes
- 2 = no
- 8 = unknown/no record

16. DRGCRM ___

IV. Voluntariness Determination

If the case is processed post-plea and voluntariness determination is not applicable, check here and skip to Section V Offender Income Information.

17. VOLOUT: Voluntariness outcome

17. VOLOUT

- eligible processin continues
- ineligible

List reasons for not volunteering:

If ineligible, end package

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

V. Offender Income Information

18. DEPO: Total number of dependents for whom the offender is financially responsible

18. DEPO ___

- 1-5 = actual number of dependents
- 6 = 6 or more
- 7 = dependents but number unknown
- 8 = unknown if offender has dependents or not

- Include the offender as his/her own dependent.
- Include the offender's spouse and all minor children (under 18) living with the offender as dependents of that offender, and all other persons for whom the offender has a continuing financial responsibility.
- Dependents may be children or adults, living with or apart from the offender. In the case of adults (other than spouse), or children living apart from the offender. The key element in determining dependency is the provision of continuing financial support, including voluntary or non-voluntary contributions (e.g, alimony, child support).
- The number of dependents has to be at least one to account for the offender.

19. INCO: Offender's approximate total (i.e., gross) income per year -- year prior to disposition

19. INCO ___

- | | |
|---------------------------|---|
| 01 = less than \$1,000 | 97 = not applicable, offender incarcerated for entire year prior to disposition |
| 02 = \$1,000 to \$1,999 | |
| 03 = \$2,000 to \$2,999 | |
| 04 = \$3,000 to \$3,999 | 98 = unknown |
| 05 = \$4,000 to \$4,999 | |
| 06 = \$5,000 to \$5,999 | |
| 07 = \$6,000 to \$7,499 | |
| 08 = \$7,500 to \$9,999 | |
| 09 = \$10,000 to \$11,999 | |
| 10 = \$12,000 to \$14,999 | |
| 11 = \$15,000 to \$19,999 | |
| 12 = \$20,000 to \$24,999 | |
| 13 = \$25,00 and up | |

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

20. FINCO: Family's approximate total (i.e., gross) income per year -- year prior to disposition. Include the offender's income (see item INCO) in this amount

- 01 = less than \$1,000
- 02 = \$1,000 to \$1,999
- 03 = \$2,000 to \$2,999
- 04 = \$3,000 to \$3,999
- 05 = \$4,000 to \$4,999
- 06 = \$5,000 to \$5,999
- 07 = \$6,000 to \$7,499
- 08 = \$7,500 to \$9,999
- 09 = \$10,000 to \$11,999
- 10 = \$12,000 to \$14,999
- 11 = \$15,000 to \$19,999
- 12 = \$20,000 to \$24,999
- 13 = \$25,000 and up (specify)
- 98 = unknown

-Include only income of the offender, his/her spouse, and all minor children (under 18) living with the offender.

-Code the gross income, that is, the total amount before deductions. Include the offender's income as part of the family income. Compute this figure on the basis of present earnings, considering all sources of income including public assistance (aid to dependent children, welfare, social security, veterans' benefits) and alimony and child support received.

-Code on basis of the year prior to disposition. If the offender or his/her family members worked less than 1 full year estimate the income for one year.

20. FINCO ___

If "13," specify _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

21. FAMWEL: Is the offender or his/her family on welfare? 21. FAMWEL ___

- 0 = neither the offender nor his/her family are on welfare
- 1 = yes, offender on welfare
- 2 = yes, family on welfare
- 3 = yes, both on welfare
- 8 = unknown

VI. Offender's Payment Ability

22. PABID: Payment ability assessed by

22. PABID

- judge
- DA/solicitor
- DA investigator
- restitution staff
- other (specify) _____

Check
all
that
apply

23. PABSRC: Source(s) of information utilized by restitution staff for payment ability assessment.

- Check here if the restitution staff did not verify, assist in, or independently assess the offender's ability to pay. Skip to item 24.

(CONTINUED ON NEXT PAGE)

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

	Check if Contacted/Consulted	Approximate Number of Attempts Needed to Make Contact
Offender	___	___
Offender's family	___	___
Offender's neighbors	___	___
Offender's employer/former employer	___	___
Welfare department	___	___
Offender's bank	___	___
Other _____	___	___
_____	___	___

24. PABOUT: Outcome of payment
ability screening

24. PABOUT

- eligible, able to pay within 24'
months, processing continues
- ineligible, unable to pay within 24
months (specify reasons)

If ineligible, end packet here.

II. Offender Information

A. General Information

25. DOBO: Date of birth

25. DOBO _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

26. SEXO: Sex of offender

- 1 = male
- 2 = female
- 8 = unknown

26. SEXO ___

27. RACEO: Race/ethnic background of offender

- 1 = white
- 2 = black
- 3 = American Indian
- 4 = Spanish speaking
- 5 = Asian
- 6 = other
- 8 = unknown

27. RACEO ___

B. Home/Family Situation

28. MARSTO: Legal marital status at time of disposition

- 1 = married (includes common-law)
- 2 = single, never married
- 3 = divorced
- 4 = separated
- 5 = widow(er)
- 7 = other
- 8 = unknown

28. MARSTO ___

29. LIVWO: Offender lived with -- at time of disposition. Check all that apply in the spaces provided.

-If detained or incarcerated at disposition code status at last community exposure.

Check all that apply

29. LIVWO

- spouse
- paramour
- children (include step-children, adopted children)
- other relatives (include in-laws)
- friends
- alone
- other
- unknown

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

30. RESTAB: Residential stability of offender year prior to the present involvement with the criminal justice system

- 1 = stable
- 2 = unstable
- 7 = not applicable, incarcerated for more than 6 months in year prior to present involvement with criminal justice system
- 8 = unknown

-If the offender has 3 or more address changes within the past year which appear unrelated to job or school, code "2 = unstable." If no specific mention is made of any moves assume no moves and code as "1 = stable."

-Consider only the period prior to the present contact with the criminal justice system. Do not consider changes reflecting moves from home to an institution or moves between institutions.

31. COUNTO: County in which the offender's present residence is located. Use county codes.

998 = county unknown

32. RESO: Offender's present residence (street address, if possible)

C. Education

33. EDUCO: Education level of offender; highest grade complete

- 00-17 = grades completed
- 97 = other (specify)
- 98 = unknown

30. RESTAB ___

31. COUNTO _____

32. RESO _____

33. EDUCO _____
Specify _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

D. Work/Occupation Status

34. WORKO: Offender's work status at the time of arrest for the present offense(s)

- 1 = not working
- 2 = working, full-time employment
- 3 = working, steady part-time employment
- 4 = working, occasionally
- 8 = unknown

34. WORKO ___

35. LENGWO: How long was the offender in the above category (WORKO) as of the time of arrest for the present offense(s) -- in months

- 1 = less than 1 month
- 2 = 1 to 3 months
- 3 = 4 to 6 months
- 4 = 7 to 9 months
- 5 = 10 to 12 months
- 6 = 13 months or more
- 8 = work status unknown or unknown how long in above status

35. LENGWO ___

-Each interval includes 3 full months, e.g., 3 1/2 months would be entered under code "2."

36. WKPATO: If six months or less in above item (LENGWO), characterize the work pattern for the year prior to arrest

- 1 = not working
- 2 = working, full-time employment
- 3 = working, steady part-time employment
- 4 = working occasionally
- 5 = incarcerated for more than half of the year
- 7 = not applicable, more than 6 months in LENGWO
- 8 = unknown, no record

36. WKPATO ___

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

37. REASWO: If working part-time or not working in item (WORKO) above, indicate the principal reason for this

- 01 = retired
- 02 = temporarily disabled
- 03 = permanently disabled
- 04 = on strike
- 05 = no work available
- 06 = housewife
- 07 = independent income, no need to work
- 08 = student
- 09 = other (specify)
- 97 = not applicable, working full-time
- 98 = unknown work status or reason

-If no differentiation can be made between several reasons, code as "other" and specify on answer sheet.

37. REASWO ___
Specify _____

38. OCCO: Primary occupation of offender

- 00 = no occupation
- 01 = professional, technical, kindred
- 02 = owners, managers, and administrators, excluding farm
- 03 = sales workers
- 04 = clerical and kindred
- 05 = craftsmen and kindred
- 06 = operatives, except transport
- 07 = transport
- 08 = laborers, excluding farm
- 09 = farmers and farm managers
- 10 = service workers, except private household
- 11 = private household workers (domestic)
- 12 = armed forces (as career)
- 13 = other (specify)
- 14 = student
- 15 = housewife
- 16 = illicit occupation (prostitution, gambling, etc.)
- 98 = unknown

-Occupation refers to the principal business or vocation of the offender regardless of whether he is presently working at this occupation or not. See general instructions, number 5.

38. OCCO ___
Specify _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

III. Randomization

39. RANID: Random assignment made by

39. RANID _____

Specify _____

40. RANOUT: Outcome of random assignment

40. RANOUT _____

Specify _____

- 1 = SSR experimental -- random
- 2 = SSR experimental -- forced (i.e., offender participated in an incident in which a coparticipant has been declared an SSR experimental)
- 3 = control -- random
- 4 = control -- forced (i.e., coparticipant in incident declared control)
- 5 = probation + restitution experimental -- random
- 6 = probation + restitution experimental -- forced (i.e., coparticipant in incident declared probation + restitution experimental)
- 7 = other (specify)

IX. Plan Formulation

41. PFID: Plan formulated by

41. PFID _____

Specify _____

A. Loss Assessment

42. VICNUM: Number and type of victims

42. VICNUM

Personal _____

Organizational _____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

43. LOSSID: Losses assessed by

43. LOSSID

- judge
- DA/solicitor
- DA investigator
- restitution staff
- other (specify)

Check
all
that
apply

44. LOSSRC: Source(s) of information utilized by restitution staff to determine victim losses.

Check here if the restitution staff did not verify, assist in, or independently assess the victim's losses. Skip to item 45.

-Indicate only the records or persons/agencies utilized in determining the loss amount for the restitution award. If only records were consulted, do not indicate the sources of information of those records. A separate Program Loss Assessment should be filled out for each victim.

Official Criminal Justice Records

Check if Consulted

Arrest report

DA investigation

Warrant

Other criminal justice records

(CONTINUED ON NEXT PAGE)

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

<u>Persons/Agencies</u>	<u>Check if Contacted/Consulted</u>	<u>Approximate Number of Attempts Needed to Make Contact</u>
Victim(s)		
All (or only) victim	_____	_____
Some victims (if multiple victim case)	_____	_____
DA/solicitor	_____	_____
Police	_____	_____
Insurance company	_____	_____
Other persons or agencies (e.g., bank, hospital, etc., list)		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. PLAN CONTENT/DISPOSITION GRID

Recommendations presented to: DA/solicitor
 Judge
 Offender/defense attorney

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

RESTITUTION

PLAN RECOMMENDED

45a. Restitution: No recommendation made

Recipient No.	Recipient I.D.	Amount \$	Service Type	Service Hours	Location of Service
1	-----	-----	-	---	
2	-----	-----	-	---	
3	-----	-----	-	---	
4	-----	-----	-	---	
5	-----	-----	-	---	
6	-----	-----	-	---	
7	-----	-----	-	---	
8	-----	-----	-	---	

DISPOSITION ORDERED

45b. Restitution: Not ordered / Same as recommendation

Recipient No.	Recipient I.D.	Amount \$	Service Type	Service Hours	Location of Service
1	-----	-----	-	---	
2	-----	-----	-	---	
3	-----	-----	-	---	
4	-----	-----	-	---	
5	-----	-----	-	---	
6	-----	-----	-	---	
7	-----	-----	-	---	
8	-----	-----	-	---	

Codes for service type

- 0 = no service
- 1 = direct restoration to victim of damage caused by offender's behavior
- 2 = service to public agency or community generally
- 3 = service to charitable organization
- 4 = other (specify)

Specify service types

 If hours = 997, specify hours

 If amount = 99997, specify amount

Reasons for change in recommendation:

Specify service types

 If hours = 997, specify hours

 If amount = 99997, specify amount

PLAN CONTENT/DISPOSITION GRID (Continued)

FINES

<u>SSRP Program Data</u>	
Coder ID	Date ___/___/___
Offender ID	_____
State/Juris/Prog ID	___/___/___

PLAN RECOMMENDED					
46a. Fine: No recommendation made					
Recipient No.	Recipient I.D.	Amount \$	Service Type	Service Hours	Location of Service
1	-----	-----	-	---	
2	-----	-----	-	---	
3	-----	-----	-	---	

Codes for service type

- 0 = no service
- 1 = direct restoration to victim of damage caused by offender's behavior
- 2 = service to public agency or community generally
- 3 = service to charitable organization
- 4 = other (specify)

Specify service types

If hours = 997, specify hours

If amount = 9997, specify amount

DISPOSITION ORDERED					
46b. Fine: Not ordered / Same as recommendation					
Recipient No.	Recipient I.D.	Amount \$	Service Type	Service Hours	Location of Service
1	-----	-----	-	---	
2	-----	-----	-	---	
3	-----	-----	-	---	

Reasons for change in recommendation:

Specify service types

If hours = 997, specify hours

If amount = 9997, specify amount

PLAN CONTENT/DISPOSITION GRID (Continued)

ESRP Program Data	
Coder ID _____	Date ____/____/____
Offender ID _____	
State/Juris/Prog ID ____/____/____	

PLAN RECOMMENDED

DISPOSITION ORDERED

REASONS FOR CHANGE IN RECOMMENDATION

<p>47. <u>Jail/Prison</u> <input type="checkbox"/> No recommendation made Recommended _____ months <input type="checkbox"/> Recommended, no length specified</p>	<p><input type="checkbox"/> Not ordered <input type="checkbox"/> Same as recommendation Ordered _____ months Suspended? Yes No (Circle one)</p>	
<p>48. <u>Probation</u> <input type="checkbox"/> No recommendation made Recommended _____ months <input type="checkbox"/> Recommended, no length specified</p>	<p><input type="checkbox"/> Not ordered <input type="checkbox"/> Same as recommendation Ordered _____ months Suspended? Yes No (Circle one)</p>	
<p>49. <u>Costs</u> <input type="checkbox"/> No recommendation made Recommended \$ _____</p>	<p><input type="checkbox"/> Not ordered <input type="checkbox"/> Same as recommendation Ordered \$ _____ Suspended? Yes No (Circle one) <input type="checkbox"/> Costs included in restitution <input type="checkbox"/> Costs included in fine</p>	
<p>50. <u>Other</u> <input type="checkbox"/> None recommended Recommended (specify) _____ _____ _____</p>	<p><input type="checkbox"/> None ordered <input type="checkbox"/> Same as recommendation Ordered (specify) _____ _____ _____</p>	

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

51. PFFIN: Date plan finalized
-Code here the date on which the plan was finalized, to the point that it is ready for the consideration of the judge/DA.

52. NOTEQ: For each victim where the restitution recommended in the plan does not equal the full amount of the loss, explain why. Convert service restitution to dollar values (e.g., offender unable to pay full amount, partial restitution ordered, etc.).

53. VNOREC: For each victim of the incident (i.e., listed in the Incident Grid(s)) who is not receiving restitution, explain why (e.g., unable to locate victim, victim did not want restitution, etc.).

51. PFFIN _____

52. NOTEQ Check here if none

<u>Victim ID</u>	<u>Reasons</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

53. VNOREC: Check here if none

<u>Victim ID</u>	<u>Reasons</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

54. PROSUP: Supplemental program supports. If none, indicate.

54. PROSUP _____

55. DOS: Date of sentencing

55. DOS _____

56. TCOUNS: Type of counsel at sentencing

56. TCOUNS _____

- 0 = not represented by counsel
- 1 = public defender
- 2 = assigned counsel
- 3 = private counsel (retained)
- 4 = counsel provided by a private organization
- 5 = other
- 7 = represented, lawyer classification unknown
- 8 = unknown if represented

G. Payment Plan (Cash)

Check if no cash payments (fine, restitution, or costs) are to be made as part of the disposition. Skip to 60.

57. PAYONE: Date first cash payment (fine, restitution, or costs) is to be made

57. PAYONE _____

58. PAYEND: Projected date of last cash payment

58. PAYEND
restitution payments _____
(If "none," indicate)
all payments _____

SSRP Program Data

Coder ID _____ Date ____/____/____

Offender ID _____

State/Juris/Prog ID ____/____/____

59. PAYSCH: Payments will be made according to the following schedule:

\$ _____ per _____ (month, week)

If the payment schedule is variable, indicate the specific arrangements:

D. Service Plan

Check if no service is to be performed (fine or restitution) as part of the disposition. Skip to 63.

60. SRVONE: Date service to begin

60. SRVONE _____

61. SRVEND: Projected date of last service performance

61. SRVEND
 restitution payments _____
 (If "none," indicate)
 all service _____

62. SRVSCH: Service will be performed according to the following schedule:

Recipient I.D.	Arrangements Day/Time	Monitored by:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

E. Plan Formulation

63. PLNSRC: Contacts made in developing the offender's payment/service plan by restitution staff

Persons/Agencies	Check if Contacted/Consulted	Approximate Number of Attempts Needed to Make Contact
Offender	_____	_____
Victim(s)		
All (or only) victim(s)	_____	_____
Some victims (if multiple victim case)	_____	_____
Service agencies		
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

64. VICONV: Were any of the victims contacted to convert cash restitution to service?

64. No
 Yes (List I.D.'s of those contacted and check whether they agreed to convert cash to service):

Contacted	Agreed	
	Yes	No
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SSRP Program Data

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog ID ___/___/___

65. VICNOT: Date victim(s) notified
of case outcome

65. VICNOT

<u>Victim</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

Coder ID _____ Date _____/____/____

Victim ID _____

State/Juris/Prog. ID ____/____/____

Revised 8/1/77

1. VICLOS: Indicate whether this loss assessment is being computed for a personal or an organizational victim.

- Personal Victim
- Organization Victim

2. LOSS MATRIX

	Column I	Column II	Column III	Column IV
Type of Loss	Gross Amount Lost	Recovery-Police/Other (Not Insurance)	Recovery-Insurance/Workman's Comp.	Amount Not Recovered
Money Stolen	-----	-----	-----	-----
Property Stolen	-----	-----	-----	-----
Property Damaged	-----	-----	-----	-----
Medical Expenses	-----	-----	-----	-----
Job Value-Not Lost	-----	-----	-----	-----
Travel	-----	-----	-----	-----
Other ***	-----	-----	-----	-----
Total	-----	-----	-----	-----

*Specify _____

**Specify _____

Code amounts:
 00000-99995 = actual amount
 99996 = \$99,999 or more
 99998 = unknown

3. ESTOL: In the case of property stolen, which factors were considered by program staff in determining the loss amount? Check all that apply.

- not applicable, no property stolen
- original cost
- actual replacement cost
- victim estimate of loss
- insurance company statement
- police estimate
- other (specify _____)
- unknown

4. DAMEST: In the case of property damaged, which factors were considered by program staff in determining the loss amount? Check all that apply.

- not applicable, no property damaged
- original cost
- actual replacement cost
- actual repair cost
- victim estimate
- insurance company statement
- police estimate
- other (specify _____)
- unknown



CONTINUED

1 OF 2

Complete these items only for personal victims:

5. *VINJUR*: Victim physical injury as a result of the present victimization

-Check all that apply.

- None
- Unknown _____
- Gunshot/knife wound
- Broken bones or teeth knocked out
- Internal injuries; knocked unconscious
- Bruises, black eye, cuts, scratches, swelling, burns
- Other (Specify) _____

6. *VICMED*: Type of professional medical treatment

- Check the single most appropriate response.
- This item applies only to medical attention by a doctor or other medically trained person (e.g., nurse, dental surgeon, etc.) and not to self-administered treatment such as bandaging a wound.
- Code "2" includes hospital emergency treatment or emergency treatment in family doctor's office or a clinic.

- None
- Unknown _____
- Emergency room/doctor treatment only
- Admitted to hospital for care (at least overnight)

ANSWER GRID

Coder ID _____ Date ____/____/____

Offender ID _____

State/Jurisdiction/Program ID ____/____/____

1. Date (DOCI)

2. WEAPON*	3. TPEAP**	4. ROL	5. Formal Charged Offenses Use Master List Codes	6. Other Offenders Involved (J.D. Only)	7. Victims Involved (I.D. Only)	8. Victim Precipitation	9. Victim-Offender Relationship	10. Location of Incident
---	---	---	----- ----- -----	-----	-----	---	---	---
code 7 for weapon, specify			----- ----- -----	-----	-----	---	---	---
code 9 for Type weapon specify			----- ----- -----	-----	-----	---	---	---
			If ML=998, specify:			Location, specify: _____		

Incidents: A single criminal event involving the commission of one or more offenses. An incident is unique as to time and place. Therefore, two robberies by the same offender would constitute two incidents if they occurred at different times or at different locations. They would constitute a single incident if both robberies occurred at the same time and place (e.g., the burglary of a couple). Similarly, the burglary of four apartments in one apartment complex by the same offender on one evening would constitute four separate incidents.

2. WEAP: Weapon

- 0 = no weapon involved
- 1 = feigned weapon
- 2 = weapon in offender's possession but not used
- 3 = weapon used to threaten victim
- 4 = weapon used in attempt to injure victim
- 5 = weapon used to injure victim
- 6 = weapon present, unknown whether used or simply in possession
- 7 = other (specify on answer grid)
- 8 = unknown

3. TWEAP: Type of weapon

- 00 = no weapon involved
- 02 = blunt instrument
- 03 = knife/starp instrument
- 04 = chemical (e.g., lye, acid, gas, etc.)
- 05 = explosives (including incendiaries)
- 06 = handgun
- 07 = long gun (including sawed-off shotgun)
- 08 = gun, type unknown
- 09 = other (specify on answer grid)
- 98 = unknown type of weapon

(NOTE: There is no "01" code in this item.)

4. OROFF: Offender's role

- 1 = lead role (e.g., planned or organized the offense)
- 2 = equal co-conspirator
- 3 = peripheral (e.g., "lookout," getaway car driver only, etc.)
- 4 = not ascertainable, although others involved

8. VPRCI: Victim precipitation

- 1 = yes
- 2 = no
- 8 = unknown

9. VOR: Victim-offender relationship

To the offender, the victim is:

- 1 = family/relative
- 2 = employer
- 3 = ex-employer
- 4 = other acquaintance
- 5 = stranger
- 6 = other
- 7 = not applicable, no victim
- 8 = unknown

10. INCLOC: Location of incident:

0 = offense not location specific

For personal victims, use the following three codes:

- 1 = victim's home -- occupied
- 2 = victim's home -- not occupied or immediate surroundings
- 3 = victim -- elsewhere

For organizational victims, use the following three codes:

- 4 = at the place of business -- occupied
- 5 = at the place of business -- unoccupied
- 6 = business -- elsewhere
- 7 = other location (specify on answer grid)
- 8 = unknown

Georgia System Processing

Coder ID _____ Date ____/____/____

Offender ID _____

State/Juris/Prpg. ID 4/____/____

I. Arrest/Conviction

1. DOARR: Date of arrest
2. STARR: Legal status of offender at time of arrest for conviction offenses

- 0 = free
- 1 = released: ROR
- 2 = released: bail/bond
- 3 = released: pending further action
- 4 = probation
- 5 = parole
- 6 = community correctional programs
- 7 = other (specify)
- 8 = status unknown

1. DOARR _____

2. STARR _____

Specify _____

Conviction

3. DOC: Date of conviction
4. NOCONV: Total number of conviction charges
 - 1-6 = actual number of charges convicted
 - 7 = 7 or more (specify)
 - 8 = unknown

(Do not include the number of counts per charge in determining the response.)

3. DOC _____

4. NOCONV _____

Specify _____

Georgia System Processing

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog. ID 4/___/___

7. HOWCON: Basis of conviction

- 01 = plea of guilty, no trial
- 02 = plea of nolo, no trial
- 03 = plea of guilty during trial
- 04 = plea of nolo during trial
- 05 = convicted by judge (bench trial)
- 06 = convicted by jury (jury trial)
- 07 = other (specify)
- 96 = convicted by plea, type unknown
- 97 = trial, type unknown (i.e., bench or jury trial)
- 98 = basis of conviction unknown

7. HOWCON _____

Specify _____

II. Detention Status

8. GACLIB: Offender's primary status --
arrest to sentence

- 1 = detained
- 2 = released: ROR
- 3 = released: bail/bond
- 4 = released: other (specify)
- 5 = released: release mechanism unknown
- 8 = unknown if released or not

8. GACLIB _____

Specify _____

In this item record the one status which best characterizes the period between arrest and sentence. Thus if the offender was released on ROR for two weeks but detained for seven weeks between arrest and sentence "1" should be coded indicating the offender's primary status was "detained."

9. GACDAY: Total number of days in detention --
arrest to sentence

- 00 = not detained
- 01-95 = actual number of days
- 96 = 96 or more (specify)
- 97 = detained, number of days unknown
- 98 = unknown if detained

9. GACDAY _____

Specify _____

Offender Interview Schedule

Interviewer Note: (a) The first series of questions is aimed at setting the tone for the interview, to put the offender at ease, and establish your position as someone who is interested in hearing what the offender has to say. The responses to the questions should allow you to begin the process of assessing the attitudes of the offender toward the victim in terms of the three scales -- blame, hostility, and empathy. Although some factual information may be given by the offender at this stage, your primary attention should be upon the attitude assessment task. You may note any factual information but be sure to verify it when the appropriate question arises later in the interview (See Rules for Interviewing, C.I.C.) Although you may wish to make a provisional assessment on the three attitude scales as the offender talks, your final assessment should be made at the end of the interview, after all of the factual information is collected.

(b) Before interviewing offenders be sure you understand the nature of the offense(s) about which you will be talking. Also, be sure you understand the intent of the interview questions. By preparing yourself prior to conducting the interview you will be able to focus the offender's responses on the intended substance of the questions and avoid asking manifestly inappropriate questions. The result will be a shorter, smoother interview.

Offender Interview Schedule

Interviewer ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog. ID ___/___/___

M1. Did anything in particular lead up to the incident(s)?

Probe "What?" Ask yourself who does the offender seem to be blaming for the incident?

M2. Do you think it/(they) could have been prevented in any way?

Probe "How?"; "Why not?" Again, ask yourself who does the offender seem to be blaming for the incident?

M3. How do you feel about the [person(s)/ business(es)/organization(s)] against [whom(which)] you were convicted of committing the offense(s)?

Probe for precise nature of offender's feelings. Hostility? Empathy? (See Rules for Interviewing "B2" on neutral probes.)

M5. Was there any reason you chose [this/these] particular [person(s)/ business(es)/organization(s)] or was it just by chance?

Check all that apply and circle one box for the source blamed most by the respondent.

Blame assessment:

- Blames no one
- Self
- Co-offender(s)
- Victim(s)
- Other people (Specify) _____

Other (Specify) _____

Hostility towards the victim(s)

1	2	3	4	5	Check here if <input type="checkbox"/> Rater does not know
Not Hostile		Somewhat Hostile		Very Hostile	

Empathy

1	2	3	4	5	Check here if <input type="checkbox"/> Rater does not know
Not Empathic		Somewhat Empathic		Very Empathic	

Reasons victim chosen:

N. Now I would like to focus on a few of the details of what you have just described. You may feel that you have answered some of the questions already, but I want to be sure I haven't misunderstood anything; so I will ask this set of questions to get as complete a picture as possible of what happened.

Questions in Section N are designed primarily to obtain the offender's viewpoint about the loss assessment. You should be attentive, however, to any expression of feelings by the offender that might be useful to you in rating the blame, hostility, and empathy items.

Record amounts to nearest whole dollar. When the offender is unable to provide an exact amount try to get his/her best estimate of the amount.

Injury

N1. Was(were) the victim(s) injured in any way as a result of what happened?

- No (Skip to N4)
 Yes
 Unknown (Skip to N4)

N2. Do you think any of the injuries were serious enough to need professional medical attention? What type?

- No
 Yes
 Emergency room/doctor treatment only
 Admitted to hospital for care (overnight)
 Unknown

If necessary probe for distinction between professional medical attention, and self-prescribed or self-administered. Make sure the offender's response can be coded in one of the categories provided. E.g., probe, "Do you think the person(s) had to go to a doctor or hospital?" "Do you think he/she/they had to stay overnight at the hospital?"

Work Time Loss

N3. Do you think anyone injured missed any time from work because of the injury?

- No
 Yes
 Unknown

Do not include time lost as a result of criminal justice processing (e.g., witness time).

Property/Services/Cash Taken

N4. Was anything taken during this incident? This includes theft of services and anything obtained by deception or fraud.

- No (Skip to N13)
 Yes
 Unknown (Skip to N13)

Even though this information probably will have been obtained already, verify it with the offender at this point. For example, "You said you took a wallet, is that right?"

Offender Interview

Offender ID _____

Cash Taken

N5. Was any cash taken?

- No (Skip to N9)
- Yes
- Unknown (Skip to N9)

Exclude money or goods obtained by use of a credit card or checks. Checks and credit card losses are included in the "Property/Services Taken" section below.

N6. What was the total amount taken?

\$ _____
 Unknown

N7. Was any of the cash returned to the authorities or the victim?
To whom?

- No (Skip to N9)
- Unknown (Skip to N9)
- Yes (check all that apply)
- Police
- Probation/parole officer
- Victim
- Other (Specify) _____

N8. How much of the cash was returned?

\$ _____
 Unknown

Property/Services Taken

N9. Was any property taken or services obtained during the incident (not including the cash just mentioned)?

- No (Skip to N13)
- Yes
- Unknown (Skip to N13)

Include checks, credit cards, bonds, etc., and theft of services.

N10. Altogether, what was the value of the property and/or services (not including the cash just mentioned)?

\$ _____
 Unknown

Include the value of money, goods, or services obtained by use of credit cards or checks, or by fraud or deception.

N11. Was any of this amount returned to the authorities or the victim?
To whom?

- No (Skip to N13)
- Unknown (Skip to N13)
- Yes (check all that apply)
- Police
- Probation/parole officer
- Victim
- Other (Specify) _____

N12. How much?

Exclude any returned cash already mentioned.

\$ _____
 Unknown

If the recovered property was damaged, the amount recorded here should be the value of the property in its damaged state, not its original value. E.g., if a car worth \$1,000 is stolen and is returned with \$200 collision damage, the amount entered here should be \$800. If only a few of the stolen articles were returned, include only the value of the property returned. If stolen services are repaid, the amount paid back should be included here.

Damage

N13. Was anything damaged but not taken during this incident?

- No (Skip to N15)
- Yes
- Unknown (Skip to N15)

Give examples if necessary; e.g., was a lock or window broken, clothing damaged, etc.

N14. What do you think it would cost the victim to have this damage repaired?

\$ _____
 Unknown

N15. Do you know whether the victim had any losses that haven't been mentioned so far? What? What do you think the value was?

Specify _____

Victim Recovery

N16. Do you think the victim(s) was(were) able to get anything back for the loss or damage [other than what was returned by you (and the other persons involved)]?

- No (Skip to Section O)
- Yes
- Unknown (Skip to Section O)

Offender Interview

Offender ID _____

- N17. How much? All, a large part, or only a small part?
- All
 - Large part
 - Small part
 - Unknown

- N18. How do you think it was recovered?
- Insurance
 - Tax write-off
 - Other (Specify) _____
 - Unknown

O. Now I would like to ask you a few questions about the criminal justice system and get your opinions about it.

	01.	02.	03.	04.
	Concern			
	for			
	Most		Least	
	Contact Offender Concern Concern			
01. After the incident, what contacts did you have with criminal justice agents? The police? Prosecutors (DA)? Defense lawyers? Court officials? Judges? Prison staff? Probation? Parole officers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D.A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Defense Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judge(s)/Courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Probation Off.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parole Authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check all that apply in the space provided. (01 and 02)

02. Of the people you dealt with, do you feel that they (any) were concerned about you as an offender? (Who? Any others?)

03. Who do you think was most concerned about you as an offender?

If the respondent states more than one agency/person equally, mark each one in the space provided. (03 and 04)

04. Who do you think was least concerned?

05. How satisfied are you with the way you were treated. (No pause) Think, for example, of a straight line; at one end you have a "0" which means totally dissatisfied; and at the other end you have 100 which means totally or 100 percent satisfied. Zero equals totally dissatisfied; 100 equals totally satisfied. Where would you place yourself on the line?

_____ %

Explain the use of the satisfaction line again if necessary. Try to have the respondent state a numbered point on the line. For example, if the respondent says, "about half way," probe -- "Which figure would you say comes closest, 40, 50, 60?"

P1. By and large, do you think your sentence makes any sense? Why?

Rationality of disposition:

1	2	3	4	5	<input type="checkbox"/> Rater doesn't know
Very Irrational		Rational		Very Rational	

Rate the offender's belief of the rationality of the disposition based on his/her responses to P1 and P2.

Why:

P2. Do you think anything good or bad will come out of this for you? Why?

<input type="checkbox"/> Good	<input type="checkbox"/> Bad	<input type="checkbox"/> Both	<input type="checkbox"/> Don't know
-------------------------------	------------------------------	-------------------------------	-------------------------------------

Why:

P3. How fair do you think this sentence is to you? (No pause) Using the line again, only this time 0 (zero) means totally unfair and 100 means totally or 100 percent fair.

_____ %

P4. How fair do you think this sentence is to the person(s) that you were convicted of committing the crime against? Use the line again.

_____ %

P5. How fair do you think this sentence is to the community at large that you were convicted of committing the crime against. 0 = totally unfair; 100 = totally fair.

_____ %

Q. Finally, I would like to find out how you feel about offenders making restitution to victims of crimes as part of their sentence.

I'm going to describe to you briefly three types of restitution. For each one I would like you to tell me whether you think it is a good or a poor idea.

For each response check the appropriate box on the grid.

Q1. The first type is financial restitution where offenders pay money that goes back to victims for losses caused by the crime. Do you think this is a good idea or a poor idea?

Q2. The second type is where offenders make restitution by performing service for victims, for example, repairing damage caused during the incident. Is this a good idea or a poor idea?

Q3. The last type is where offenders make restitution by performing service for the community such as cleaning up parks or working at the Boys Club. How about this, is it a good idea or a poor idea?

Q4. Now, of these three types which do you think is the best idea?

Q5. Of the remaining two which is the better idea?

	Good Idea	Poor Idea	Undecided	Rank
E1. Financial				
E2. Service				
E3. Community				

In the RANK column, place a "1" by the type indicated to be the best, a "2" by the type indicated to be next best, and a "3" by the remaining type.

Q6. How widely do you think restitution should be used in the criminal justice system? For all offenses, some offenses, or none at all?

If respondent says all offenses, skip to (E8). If respondent says some offenses or none at all, ask:

Q7. Why do you think it should not be used for all offenses?

Check the appropriate response:

- All offenses (Skip to E8)
- Some offenses
- No offenses

Reasons for not using for all offenses:

Q8. People have different ideas about the purposes of restitution. What do you think is its most important purpose? Anything else?

Most important purpose of restitution:

If the person does not know what you mean, ask this probe question:

Some people see restitution as useful to the community, the offender, and/or the victim. How do you think it will be most useful?

Respondent: "It will be most useful to the victim."

Interviewer: "How?"

If this is a comparison offender ask the following question (Q9) and end the interview. If experimental offender skip Q9 and continue the interview.

For Comparison Offenders Only

Q9. What about in your case? (No pause) Do you think restitution would have been a good idea or not a good idea? Why? Why not?

Single Victim

Multiple Victims

- Good idea
- Not a good idea
- Don't know

- Good idea for all victims
- Good idea for some victims
- Not a good idea
- Don't know

Why;Why not:

For Comparison Offenders -- End Interview

For Experimental Offenders Only

Q10. What about in your case? (No pause) Do you think restitution is a good idea or not a good idea? Why?

Single Victim

Multiple Victims

- Good idea
- Not a good idea
- Don't know

- Good idea for all victims
- Good idea for some victims
- Not a good idea
- Don't know

Why:

Q11. Considering what happened in the incident(s), do you think the restitution ordered was too much, too little, or about right?

Single Victim

Multiple Victims

- Too much
- About right
- Too little
- No opinion

- Too much, all victims
- About right, all victims
- Too little, all victims
- Mixed (e.g., too much for some; too little for others)
- No opinion

Q12. How satisfied are you with the service provided by [Project Name]. Use the satisfaction line again. Zero equals totally dissatisfied; 100 equals totally satisfied.

Q13. Do you have any suggestions about ways that the service might be improved?

Ways to improve:

END INTERVIEW.

Offender Follow-Up Interview Schedule

Interviewer Note: (a) The first series of questions is aimed at setting the tone for the interview, to put the offender at ease, and establish your position as someone who is interested in hearing what the offender has to say. The responses to the questions should allow you to begin the process of assessing the attitudes of the offender toward the victim in terms of the three scales -- blame, hostility, and empathy. Although some factual information may be given by the offender at this stage, your primary attention should be upon the attitude assessment task. You may note any factual information but be sure to verify it when the appropriate question arises later in the interview (See "Rules for Interviewing," C.l.c.) Although you may wish to make a provisional assessment on the three attitude scales as the offender talks, your final assessment should be made at the end of the interview, after all of the factual information is collected.

(b) Before interviewing offenders be sure you understand the nature of the offense(s) about which you will be talking. Also, be sure you understand the intent of the interview questions. By preparing yourself prior to conducting the interview you will be able to focus the offender's responses on the intended substance of the questions and avoid asking manifestly inappropriate questions. The result will be a shorter, smoother interview.

Offender Follow-Up
Interview Schedule

Interviewer ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog. ID ___/___/___

The first thing I'd like to ask you about is the offense itself.

PM1. Looking back on what happened, did anything in particular lead up to the incident(s)?

Probe "What?" Ask yourself who does the offender seem to be blaming for the incident?

PM2. Do you think it/(they) could have been prevented in any way?

Probe "How?"; "Why not?" Again, ask yourself who does the offender seem to be blaming for the incident?

PM3. How do you feel now about the [person(s)/business(es)/organization(s)] against [whom(which)] you were convicted of committing the offense(s)?

Probe for precise nature of offender's feelings. Hostility? Empathy? (See "Rules for Interviewing 'B2'" on neutral probes.)

PM4. Thinking back, was there any reason you chose [this/these] particular [person(s)/business(es)/organization(s)] or was it just by chance?

Check all that apply and circle one box for the source blamed most by the respondent.

Blame assessment:

- Blames no one
 - Self
 - Co-offender(s)
 - Victim(s)
 - Other people (specify) _____
-
- Other (specify) _____

Hostility towards the victim(s)

1	2	3	4	5	Check here if <input type="checkbox"/> Rater does not know
Not Hostile		Somewhat Hostile		Very Hostile	

Empathy towards the victim(s)

1	2	3	4	5	Check here if <input type="checkbox"/> Rater does not know
Not Empathic		Somewhat Empathic		Very Empathic	

Reasons victim chosen:



THERE IS NO PN SECTION.

Offender Follow-Up
Interview Schedule

Offender ID _____

PO. Now I would like to ask you a few questions about the criminal justice system and get your opinions about it.

PO1. As a result of this incident, what contacts did you have with criminal justice agents? The police? Prosecutors (DA)? Defense lawyers? Court officials? Judges? Prison staff? Probation? Parole officers? Restitution staff?

Record all contacts relating to this (these) incident(s) from the time of the incident to the time of this interview.

Check all that apply in the space provided. (PO1 and PO2)

PO2. Of the people you dealt with, do you feel that they(any) were concerned about you as an offender? (Who? Any others?)

PO3. Who do you think was most concerned about you as an offender?

If the respondent states more than one agency/person equally, mark each one in the space provided. (PO3 and PO4)

PO4. Who do you think was least concerned?

PO1. PO2. PO3. PO4.
Concern
for Most Least
Contact Offender Concern Concern

Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D.A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Defense Attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judge(s)/Courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Probation Off.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parole Authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Restitution Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Offender Follow-Up
Interview Schedule

Offender ID _____

PO5. If you think about everything that has happened to you regarding this(these) incident(s), how satisfied are you with the way you were treated. (No pause) Think, for example, of a straight line; at one end you have a "0" which means totally dissatisfied; and at the other end you have 100 which means totally or 100 percent satisfied. Zero equals totally dissatisfied; 100 equals totally satisfied. Where would you place yourself on the line?

_____ %

Explain the use of the satisfaction line again if necessary. Try to have the respondent state a numbered point on the line. For example, if the respondent says, "about half way," probe -- "Which figure would you say comes closest, 40, 50, 60?"

PP1. By and large, do you think the sentence you received makes any sense? Why?

Rate the offender's belief of the rationality of the disposition based on his/her responses to PP1 and PP2.

Rationality of disposition:

1	2	3	4	5	<input type="checkbox"/> Rater does not know
Very Irrational		Rational		Very Rational	

Why:

PP2. Do you think anything good or bad has come out of this for you? Why?

Good Bad Both Don't know

Why:

PP3. How fair do you think this sentence was to you? (No pause) Using the line again, only this time 0 (zero) means totally unfair and 100 means totally or 100 percent fair.

_____ %

Offender Follow-Up
Interview Schedule

Offender ID _____

PP4. How fair do you think this sentence is to the victim(s) of the offense(s)? Use the line again.

_____ %

PP5. How fair do you think this sentence is to the community at large?

_____ %

If necessary, clarify "community at large" as the "people of the [town/city/county]" in which the incident(s) took place.

PQ. Now I would like to find out how you feel about offenders making restitution to victims of crimes as part of their sentence.

I'm going to describe to you briefly three types of restitution. For each one I would like you to tell me whether you think it is a good or a poor idea.

For each response check the appropriate box on the grid.

PQ1. The first type is financial restitution where offenders pay money that goes back to victims for losses caused by the crime. Do you think this is a good idea or a poor idea?

PQ2. The second type is where offenders make restitution by performing service for victims; for example, repairing damage caused during the incident. Is this a good idea or a poor idea?

PQ3. The last type is where offenders make restitution by performing service for the community such as cleaning up parks or working at the Boys Club. How about this, is it a good idea or a poor idea?

PQ4. Now, of these three types, which do you think is the best idea?

PQ5. Of the remaining two which is the better idea?

	Good Idea	Poor Idea	Undecided	Rank
PQ1. Financial				
PQ2. Service				
PQ3. Community				

In the RANK column, place a "1" by the type indicated to be the best, a "2" by the type indicated to be next best, and a "3" by the remaining type.

Offender Follow-Up
Interview Schedule

Offender ID _ _ _ _

PQ6. How widely do you think restitution should be used in the criminal justice system? For all offenses, some offenses, or none at all?

If respondent says all offenses, skip to (PQ8). If respondent says some offenses or none at all, ask:

PQ7. Why do you think it should not be used for all offenses?

PQ8. People have different ideas about the purposes of restitution. What do you think is its most important purpose? Anything else?

If the person does not know what you mean, ask this probe question:

Some people see restitution as useful to the community, the offender, and/or the victim. How do you think it will be most useful?

Respondent: "It will be most useful to the victim."

*Interviewer: "How?"

PQ9. If an offender is ordered to make restitution, do you think the rest of his/her sentence should be more lenient than if no restitution is ordered, or should it make no difference at all?

Check the appropriate response:

- All offenses (skip to PQ8)
- Some offenses
- No offenses

Reasons for not using for all offenses:

Most important purpose of restitution:

- Treated more leniently
- Makes no difference
- Don't know

For Experimentals, Skip to PQ11.

Offender Follow-Up
Interview Schedule

Offender ID _____

FOR COMPARISON OFFENDERS ONLY

PQ10. What about in your case? (No pause) Do you think restitution would have been a good idea or not a good idea? Why? Why not?

Single Victim

- Good idea
- Not a good idea
- Don't know

Multiple Victims

- Good idea for all victims
- Good idea for some victims
- Not a good idea
- Don't know

Why; Why not:

FOR COMPARISON OFFENDERS -- END INTERVIEW

FOR EXPERIMENTAL OFFENDERS ONLY

PQ11. Do you think the rest of your sentence was more lenient because you had to make restitution?

- Yes
- No
- Don't know

PQ12. If you had not been required to make restitution what do you think your sentence would have been?

- Probation (length _____ months)
- Fine (amount \$ _____)
- Jail/Prison (length _____ months)
- Other (specify terms) _____

Probe for specific terms of the sentence if necessary, e.g., length or amount.

- Don't know

PQ13. What about in your case? (No pause) Do you think restitution has been a good idea or not a good idea? Why? Why not?

Single Victim

- Good idea
- Not a good idea
- Don't know

Multiple Victims

- Good idea for all victims
- Good idea for some victims
- Not a good idea
- Don't know

Why; Why not:

Offender Follow-Up
Interview Schedule

Offender ID _____

PQ14. Do you think another type of restitution such as [insert types not ordered], might have been better for you?

- Yes, cash
- Yes, direct service
- Yes, community service
- No
- Don't know

If "yes," ask: "Which type(s) and why?"

Why: .

In the blank above insert the type(s) of restitution not assigned in the present case. For example, if the offender was to make financial restitution insert "direct service to victim" and "community service."

PQ15. Considering what happened in the incident(s), do you think the restitution ordered was too much, too little, or about right?

Single Victim

Multiple Victims

- | | |
|--------------------------------------|---|
| <input type="checkbox"/> Too much | <input type="checkbox"/> Too much, all victims |
| <input type="checkbox"/> About right | <input type="checkbox"/> About right, all victims |
| <input type="checkbox"/> Too little | <input type="checkbox"/> Too little, all victims |
| <input type="checkbox"/> No opinion | <input type="checkbox"/> Mixed (e.g., too much for some; too little for others) |
| | <input type="checkbox"/> No opinion |

PQ16. What arrangements were made for you to make this restitution?

Financial

Service to Victims

Probe: Financial Restitution

Was it to be paid once a week, once a month, all at once, or some other way?
How much per period?

- No fixed schedule
- Weekly \$ _____/wk.
- Every 2 wks. \$ _____/2wks.
- Monthly \$ _____/mo.
- Lump sum
- Other _____

- No fixed schedule; offender to perform a total of _____ hours
- No fixed number of hours; offender to perform specific task(s)
- _____ hours per week
- Other (specify) _____

Probe: Service to Victims or Community Service

For example, how many hours per week were you to work?

- Don't know, never notified of schedule
- Don't know, can't recall (Skip to PQ18)

- Don't know, never notified of schedule
- Don't know, can't recall (Skip to PQ18)

If a combination of cash and service was ordered be sure the offender indicates the arrangements for making both types.

If the arrangements were changed since the time of the original order be sure that the offender's responses to questions PQ16 and PQ17 reflect the most recent arrangements.

Offender Follow-Up
Interview Schedule

Offender ID _____

PQ17. How satisfied are you with the arrangements for you to make restitution? Use the line again, 0 equals totally dissatisfied; 100 equals totally satisfied.

_____ %

PQ18. Has making restitution imposed any hardship on you or your family? Please explain.

No

Yes:

- went on welfare
- loan from relatives/friends
- loan from bank/finance company
- had to take second job
- wife/husband had to go to work
- had to sell personal/family belongings or property
- other (specify) _____

Check
all
that
apply

PQ19. Has making restitution benefited you or your family in any way? Please explain.

No

Yes (specify) _____

Ask the next question (PQ20) only if the offender was to make financial restitution. If no financial restitution, skip to PQ21.

PQ20. What happens to the money you have been assigned to pay; to whom does it go?

Don't know _____

Victim(s) \$ _____

Insurance company \$ _____

Third party other than insurance company \$ _____

Fines, court costs, supervision fees \$ _____

Other (specify) _____

Probe to ascertain where the offender believes the money ultimately goes, i.e., to the victim(s), insurance company, the State, county, city, etc. Also, probe to determine the total amount the offender believes each recipient is to receive.

Check
all
that
apply

\$ _____

Offender Follow-Up
Interview Schedule

Offender ID _____

PQ21. How satisfied are you with the service provided by (Project Name). Use the satisfaction line again. Zero equals totally dissatisfied; 100 equals totally satisfied.

_____ %

PQ22. Do you have any suggestions about ways that the service might be improved?

Ways to improve:

END INTERVIEW.



his report should be completed for all offenders at month intervals. (The instructions for Offender-Monitoring Report to determine when the first report commences.) Reporting would continue until (1) offender is released from the criminal justice system or the restitution grant expires, whichever comes

Report Period

OBREP: Quarterly reporting period

Month: 3 6 9 12 15 18
(Circle appropriate month)

Characteristics of the Offender

GLECAL: Offender's legal status at the end of this reporting period

- 0 = free (released from all supervision)
- 1 = probation, normal supervision
- 2 = probation, inactive supervision
- 3 = parole
- 4 = work release
- 5 = incarceration
- 6 = absconded (probation/parole supervision suspended)
- 7 = other (specify)
- 8 = unknown

GLECAL

Specify _____

OBDATE: Date of change in legal status (if changed during this reporting period only)

- 999997 = not applicable, no change in status during this reporting period
- 999998 = unknown

OBDATE

OBMAR: Characterize the offender's marital status during this reporting period

- 1 = married (includes common-law)
- 2 = single, never married
- 3 = divorced
- 4 = separated
- 5 = widow(er)
- 7 = other
- 8 = unknown

OBMAR

OBEMP: Characterize the offender's employment status during this reporting period

- 1 = not working
- 2 = working, full-time employment
- 3 = working, steady part-time employment
- 4 = working, occasionally
- 8 = unknown

OBEMP

6. OBLIV: Characterize the offender's living arrangements during this reporting period

- Incarcerated for entire reporting period
- Spouse
- Paramour
- Children (include step-children, adopted children)
- Other relative (include in-laws)
- Friends
- Alone
- Other
- Unknown

Check all that apply

7. OBDEP: Total number of dependents for whom the offender is financially responsible

- 1-5 = actual number of dependents
- 6 = 6 or more
- 7 = dependents but number unknown
- 8 = unknown if offender has dependents or not

OBDEP

8. OBRES: Number of residence changes during this reporting period

- 0 = no residence changes
- 1-4 = actual number of residence changes
- 5 = 5 or more
- 6 = not applicable, incarcerated for entire reporting period
- 7 = more than one, but number unknown
- 8 = unknown

OBRES

9. OBWEL: Characterize the welfare status of the offender or his/her family during this reporting period

- 0 = neither the offender nor his/her family on welfare
- 1 = offender on welfare
- 2 = family on welfare
- 3 = both on welfare
- 8 = unknown

OBWEL

10. OBEDUC: Educational level of offender -- highest grade completed

- 00-17 = grades completed
- 97 = other (specify)
- 98 = unknown

OBEDUC

Specify _____

Offender-Based Monitoring Report Answer Sheet	
Coder ID	___ Date ___/___/___
Offender ID	_____
State/Juris/Prog ID	___/___/___

GEORGIA
1/1/78

11. OBALCH: Characterize the offender's involvement with alcohol during this reporting period

- 0 = none
- 1 = light use
- 2 = moderate use
- 3 = heavy use
- 4 = alcoholic classification
- 5 = reformed alcoholic
- 8 = unknown

OBALCH

12. OBDRUG: Characterize the offender's involvement with drugs during this reporting period

- 0 = none
- 1 = light use
- 2 = moderate use
- 3 = heavy use
- 4 = addicted
- 5 = reformed drug abuser
- 8 = unknown

OBDRUG

III. Significant Events

13. OBSIG: Significant events this reporting period

OBSIG _____

IV. Violations of Conditions of Release/Supervision

For items 14 through 18 on next page enter the information requested for each occurrence that has come to your attention during this reporting period.

Offender-Based Monitoring Report
Answer Sheet

Coder ID ___ Date ___/___/___

Offender ID _____

State/Juris/Prog. ID ___/___/___

14. OSVIOL: Violations of conditions of release/supervision during this reporting period

-Enter the date of each violation and specify the exact nature of the violation, e.g., "failure to abstain from alcohol use."

-NOTE: The actual violation behavior may have occurred in this or a previous reporting period.

Not applicable, none this reporting period

DATE	CONDITIONS VIOLATED
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____

15. OBCOMP: Actions taken during this reporting period to insure compliance with release/supervision

-Enter only those actions short of initiating revocation proceedings (formal revocation is handled in item 18 below).

-Actions taken during this period may be based on offender performance during this or an earlier reporting period.

Not applicable, none this reporting period

DATE	ACTIONS TAKEN
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____

16. OSSEEX: Violations for which revocation action has been sought during this reporting period

-Enter the date on which each revocation action was sought and specify the exact nature of the violation(s) for which revocation action has been sought.

-The violations for which revocation is sought may have occurred in this or a previous reporting period.

Not applicable, none this reporting period

DATE	VIOLATIONS
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____
___/___/___	_____

Enter the appropriate number(s) on the lines provided:

- 1 = warning issued
- 2 = wages garnered
- 3 = supervision intensified
- 4 = restitution plan amended (specify)
- 5 = support program added (specify)
- 6 = new conditions added (specify)
- 7 = other (specify)

17. OBPROV: Violations proven during this reporting period

-Enter the date on which the violations were proven and specify the exact nature of the violation(s).
 -Violations proven in this period may have occurred in this or a previous reporting period.

Not applicable, none this reporting period

DATE VIOLATIONS PROVEN

___/___/___	_____
___/___/___	_____
___/___/___	_____

18. OBREV: Outcome from revocation proceedings during this reporting period

-Enter the date of the outcome(s) and check the appropriate outcomes (e.g., date of final revocation hearing, etc.) resulting from each revocation proceeding during this or any earlier reporting period. Specify terms where indicated.

Not applicable, none this reporting period

DATE OUTCOME

___/___/___	<input type="checkbox"/> Returned to probation/parole/work release -- no new condition
	<input type="checkbox"/> Returned to probation/parole/work release -- new condition (specify _____)
	<input type="checkbox"/> Revoked (specify terms _____)
	<input type="checkbox"/> Other (specify _____)
___/___/___	<input type="checkbox"/> Returned to probation/parole/work release -- no new condition
	<input type="checkbox"/> Returned to probation/parole/work release -- new condition (specify _____)
	<input type="checkbox"/> Revoked (specify terms _____)
	<input type="checkbox"/> Other (specify _____)

Offender-Based Monitoring Report Answer Sheet	
Coder ID _____	Date ___/___/___
Offender ID _____	
State/Jurisdiction/Prog. ID ___/___/___	

V. New Criminal Justice Processing

For items 19 through 22 enter the dates and charges/dispositions for each occurrence that has come to your attention during this reporting period.

19. OBARR: Arrests during this reporting period

-Arrests must be for criminal behavior not technical violations of conditions of release/supervision.
 -Arrests this period may be for criminal behavior during this or an earlier period.
 -Use master list codes, see general instructions number 4.

Not applicable, none this reporting period

A. Date ___/___/___

Charges:

Master List	CTS	A/C	If ML-998, specify
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. Date ___/___/___

Charges:

Master List	CTS	A/C	If ML-998, specify
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. Date ___/___/___

Charges:

Master List	CTS	A/C	If ML-998, specify
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. (Continued)

Charges:

Master List	CTS	A/C	If ML-998, specify
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Offender-Based Monitoring Report
Answer Sheet

Coder ID ___ Date ___/___/___
Offender ID _____
State/Juris/Prog ID ___/___/___

GEORGIA
1/1/78

A. Financial Payment Record

25. OBPAID: Amount of financial payments paid to date
00000 = none
00001-99995 = actual dollar amount paid (nearest whole dollar)
99996 = \$99,996 or more
99997 = not applicable, no financial ordered
99998 = amount unknown

OBPAID

Number of times during this reporting period the offender has:

26. OBFALL: Failed to pay at all

OBFALL

Specify _____

27. OBLATE: Made late payments

OBLATE

Specify _____

28. OBPART: Paid less than the full amount ordered

OBPART

Specify _____

Codes for items OBFALL, OBLATE, and OBPART:

0 = never
1-5 = actual number of times
6 = 6 or more
7 = not applicable, no financial payments ordered
8 = unknown

23b. GFIN: Was the offender under an obligation to make financial payments (i.e., for fines, costs or restitution) during this period?

- No
 Yes, obligation continues
 Yes, but obligation fulfilled this period (Date ___/___/___)
 Yes, officially released from obligation this period (Date ___/___/___)
Reasons _____

23c. GREST: Was the offender under an obligation to make or perform restitution during this period?
N.B. Restitution refers to cash payments to the victim or service in lieu of such payments.

- No
 Yes, obligation continues
 Yes, but obligation fulfilled this period (Date ___/___/___)
 Yes, officially released from obligation this period (Date ___/___/___)
Reasons _____

23d. GREIN: Was the offender reinstated to the restitution program after having been previously released from his/her obligations?

- No
 Yes (Date reinstated ___/___/___)

*If "no" is coded in items 23a-d (i.e., assigned obligations completed prior to this period) -- END PACKET HERE.

24a. GSSR: Is the offender a Sole Sanction (SSR) case?

- No, skip to 25
 Yes

24b. GREASN: If SSR and not terminated from supervision or placed on inactive status, indicate reasons

- Not applicable, payments or service continue
Reasons _____

OBSENT: New dispositions this reporting period

-Sentences during this reporting period may be for convictions during this or an earlier period.

Not applicable, none this reporting period.

___/___/___ Previously suspended sentence imposed (specify terms _____)

New sentence imposed (specify terms _____)

Other (specify _____)

___/___/___ Previously suspended sentence imposed (specify terms _____)

New sentence imposed (specify terms _____)

Other (specify _____)

Payment/Service Record

4. GSERV: Was the offender under an obligation to perform service (i.e., service for fines, restitution or mandatory community service) during this period?

- No
 Yes, obligation continues
 Yes, but obligation fulfilled this period (Date ___/___/___)
 Yes, officially released from obligation this period (Date ___/___/___)
Reasons _____

Service Performance Record

RESOUR: Number of hours of service performed to date
000 = none
1-995 = actual number of hours
996 = 996 hours or more
997 = not applicable, no service restitution ordered
998 = unknown

CUR

of times during this reporting period the offender apply

OMISS: Failed to perform a scheduled service

OMISS

Specify _____

OSLOW: Performed a scheduled service late

OSLOW

Specify _____

OBBIT: Only partially fulfilled a scheduled service

OBBIT

Specify _____

For items OMISS, OSLOW, and OBBIT
never
actual number of times
or more
not applicable, no service ordered
unknown

VII. Actions Taken

33. OBACT: What action (short of termination/revocation) has been taken during this reporting period, to assure adherence to the restitution order?

- No action taken
- Warning issued
- Mags garnered
- Supervision intensified
- Plan amended (specify)
- Support program added (specify)
- Other (specify)
- Not applicable, full compliance with the restitution ordered

Check all that apply

Specify _____

GEORGIA
1/1/78

Offender-Based Monitoring Report
Answer Sheet

Coder ID _____ Date ____/____/____

Offender ID _____

State/Juris/Prog ID ____/____/____

APPENDIX IV

Offenses Eligible for Program Consideration

FELONY OFFENSES

Homicide

1103 Involuntary Manslaughter

Damage of Property

1501 Criminal Damage 1st Degree
1502 Criminal Damage 2nd Degree
1504 Damaging, Destroying, or
Deceptive Property to Defraud Another
1505 Vandalism to a Place of Worship

Burglary

1601 Burglary
1602 Possession of Tools for Commission of Crime

Deception Practices

1701 Forgery 1st Degree
1702 Forgery 2nd Degree
1705 Illegal Use of Credit Card

Theft

1802 Theft by Taking
1803 Theft by Deception
1804 Theft by Extortion
1805 Theft of Lost or Mislaid Property
1806 Theft by Receiving Stolen Property
1807 Theft of Services
1808 Theft by Conversion
1809 Theft of Trade Secret
1813 Theft of Motor Vehicle or
Part of Component
1814 Theft of Leased Personal Property

Robbery

1901 Robbery

Disorderly Conduct

2609 False Public Alarm
2613 Criminal Interference With Government Property

MISDEMEANOR OFFENSES

All misdemeanor offenses are eligible for program consideration.

List of Program Suitability Criteria

1. The offender's present primary offense must be on the list of offenses eligible for Program Consideration.
2. The offender must have no more than two felony convictions, inclusive of the current conviction. More than one conviction stemming from the same act or series of acts shall be considered as one conviction.
3. The offender must show no evidence of being chronically addicted to alcohol, drugs, or any other chemical agent.
4. The offender must show no evidence of being psychotic, severely emotionally disturbed, or brain-damaged to such extent that out-patient treatment would be insufficient to meet his needs.
5. The offender must have no history of societally dangerous behavior within five years of the current conviction, as demonstrated by the absence of convictions for such offenses as felony assault, armed robbery, forcible sex acts, use of a dangerous weapon in the commission of a crime, etc.
6. The offender must have no non-negotiable detainers or other unresolved charges which would prevent his full program participation.
7. The offender must be a non-professional criminal. A professional criminal is defined as an individual who has chosen to earn his living outside the law with no demonstrated history of consistent attempts at lawful employment as a source of financial support, or who is identified as being involved with organized criminal activities.
8. The offender must be a resident of a county within the judicial circuit in which the program is functioning.
9. The offender must be willing to fully participate in the program.
10. The offender must be reasonably able to complete his restitution plan within a maximum of 24 months.

APPENDIX V

Group Assignment Procedure

By means of the method outlined in the following paragraph, place the offender in one of the following groups:

- a) restitution, with active probation supervision ending upon completion of the restitution obligation (sole sanction restitution).
- b) restitution, in conjunction with normal probation,
- c) normal probation.

Determine the offender's birthdate by asking the offender or by finding the information in his records. Determine the last digit of the date of the month on which the offender was born. If the date has only one digit, use that number.

For instance:

- a) if the offender's birthdate is February 14, 1959, use the number 4 for placement purposes, or
- b) if the offender's birthdate is January 3, 1949, use the number 3 for placement purposes.

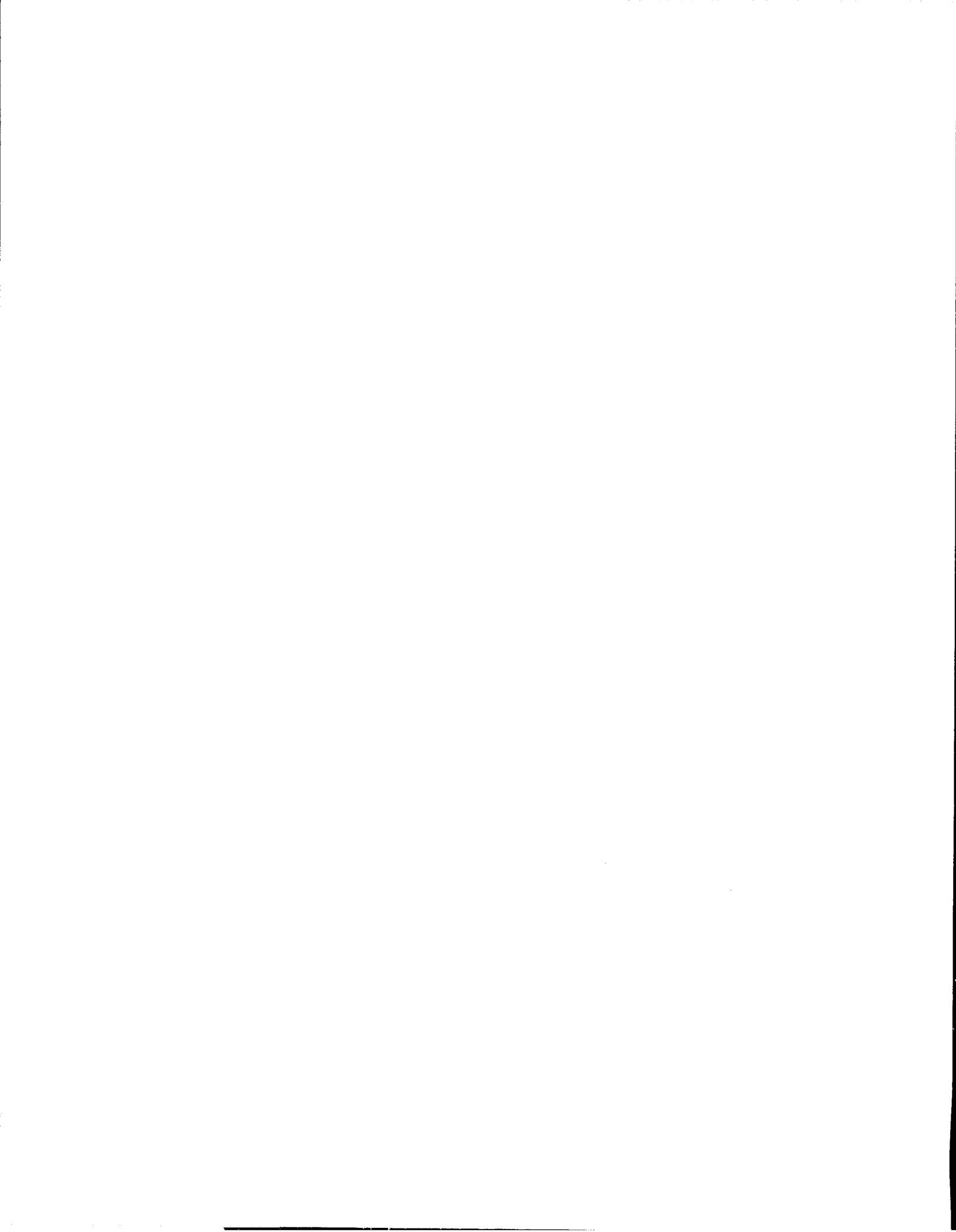
If the last digit is:

- a) 2, 3, 5, 6, or 7 - the offender is placed in the sole sanction restitution group for whom plans will be developed specifying restitution and the termination of active supervision following successful completion of the restitution obligation.
- b) 0, 1, 8, or 9 - the offender is placed in the group for whom plans will be developed specifying restitution and normal probation.
- c) 4 - the offender is placed in the group for whom plans are drawn specifying probation only.

Group Assignment Procedure (con't)

Based on examination of birthdates contained within existing offender files, it was found that each digit, 0-9, of the last number of the birthdate contained 8-12% of the total N. This percentage approximates 10% as would be assumed if birthdates were totally random. In addition, the groupings used for assignment were also selected randomly, using an existing table of random numbers.

It is assumed that the procedure will allow routine monitoring and will provide an easily implemented tool for the field personnel.



END