

DRAFT

THE EFFECT OF WASHINGTON, DC'S RESTITUTION PROGRAM
ON THE RECIDIVISM RATES OF THE DISADVANTAGED, SERIOUS OFFENDER

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INTRODUCTION

In recent years, the concept of restitution has gained increasing acceptance as an alternative to more traditional dispositions. Since the implementation of the OJJDP-funded restitution initiative in 1978, literally hundreds of restitution programs (some funded by the initiative, and some not) have been integrated into juvenile courts across the country. Restitution has presented, however, a number of problems to those juvenile courts that deal with a large number of serious offenders and/or youth who come from disadvantaged backgrounds. These problems can be summarized as follows:

1. Serious offenders often commit inappropriate offenses for monetary restitution orders. Frequently these offenders commit personal offenses where there is either no dollar loss (as in the case of a rape or assault) or a relatively small loss which, if the monetary restitution order were based on the loss, would not be appropriate to the severity of the offense. Moreover, if a property offense is committed, the loss figure may be excessive (e.g., arson) and thus unreasonable for a monetary restitution order.

2. Serious offenders frequently come from disadvantaged areas where unemployment is high and jobs to pay restitution are scarce. For monetary restitution to be a viable disposition, the size of the order must match the severity of the offense, and there must be a reasonable possibility that the youth has the ability to pay the restitution order. Often, for serious offenders one or neither of these conditions can be met. Moreover, because jobs are few and applicants are many in these areas, serious offenders are not competitive with other applicants for these jobs.

THE WASHINGTON, DC RESTITUTION PROJECT

Recognizing these and other problems in implementing restitution for the serious offender, the Superior Court of the District of Columbia developed a restitution program targeted specifically at the disadvantaged serious offender. Its proposed solutions to the problems in implementing restitution for the serious offender were:

1. Unpaid community service restitution will be the principal type of restitution required of the serious offender. Through the use of unpaid community service, restitution orders can be based on the overall severity of the offense including victim loss. An unambiguous set of criteria incorporating these two components along with the youth's prior offense history can then be established for determining the size of the community service order. Thus, the offender who commits a serious offense with little or no victim loss will still receive an appropriate restitution order.

2. Community service jobs will be obtained through area nonprofit organizations with job developers assuring that sufficient employment positions exist for all youth referred to the project. In this way, unpaid community service jobs will be available for these youth so that they will not succeed or fail completing restitution based on their ability to obtain a job in a particularly depressed employment market.

In addition to these elements, the Washington, DC program employed a victim advocate and trained mediators to coordinate mediation sessions between the offender, the victim and/or the victim advocate and the

restitution project workers. Because of the unique characteristics of its program, the Institute of Policy Analysis chose Washington, DC as one of six national evaluation sites in its evaluation of the OJJDP-funded national juvenile restitution initiative.

The purpose of this paper is to assess the efficacy of restitution as an alternative disposition to impact the subsequent offense activity of the disadvantaged, serious offender. For reasons described below, the main focus of the recidivism analysis will be comparisons of the reoffense rates between youth randomly assigned restitution or randomly assigned probation.

Restitution as an Alternative to Traditional Treatments

In one sense, two parallel restitution programs operated in Washington, DC, each accepting a different pool of clients. One handled youth who had been recommended for incarceration, while the other worked with youth who had received probation recommendations. Washington, DC's incarceration and probation client pools were each originally to have a proportion of youth who were eligible for the restitution program randomly assigned out of the recommended treatment and into the alternative restitution treatment, appropriately referred to as alternatives to incarceration (AI) and alternatives to probation (AP). The respective nonrestitution treatments were thus incarceration (INCAR) and probation (PROB).

After two months of random assignment, however, randomization was discontinued for the "incarceration" group because client caseflow for the AI program could not meet projections. From that point onward, all youth

who had been recommended for incarceration and who were eligible for the restitution program were referred to the AI treatment. Frequently, however, judges would disallow the recommendation of restitution for the AI youth and would instead impose the original recommendation that the youth be incarcerated. Youth who were slated for the AI restitution treatment, but who received a nonrestitution treatment are referred to as alternatives to incarceration refused (AIR).

For the "probation" group, random assignment continued for 20 months. Generally, two youth were randomly assigned to the AP treatment for every one assigned to the PROB treatment.

An additional unique feature of the Washington, DC restitution project that posed problems for randomization was the choice component. At disposition, youth assigned to AP (or AI for that matter) were allowed to refuse the restitution recommendation and receive, in most instances, the originally recommended treatment. Of all youth randomly assigned to AP, approximately half refused restitution and opted for probation instead; those youth who were assigned AP and refused are referred to as APR.

The problem the APR youth pose is that, since they were originally randomly assigned to AP they should, for purposes of analysis, be included with the AP youth, although they never received the restitution treatment. To do otherwise would ignore the outcome of randomization. Including the APR youth with the AP might, however, seriously restrict our ability to detect any treatment effect if one exists, since half of all youth in the restitution treatment group will not have received the restitution treatment. The solution to this dilemma will be to compare APR with their

AP counterparts to determine the types of differences that do exist, and then proceed with analyses both including and excluding the APR population.

Characteristics of Referrals

Delinquent youth referred to the Washington, DC restitution project were some of the most serious offenders in the juvenile restitution initiative. Although record-keeping systems varied greatly from site-to-site, the Management Information System data suggested that the prior offense histories of the Washington, DC youth were clearly more serious than the initiative-wide average. While 50 percent of all referrals to the initiative had no prior delinquent offenses, only 25 percent of the Washington, DC restitution referrals had no priors. Moreover, the average number of priors in the initiative was 1.39, while for Washington it was 2.23 (Schneider, et al., 1982: 70).

Table 1 displays the background characteristics of youth in the six evaluation groups in Washington, DC, while Table 2 presents the types of referral offenses for these youth. Remembering that "Incarceration" youth were not randomly assigned, that "Probation" youth were randomly assigned to AP or PROB, and that about half of all youth assigned to AP declined to go into the restitution treatment (APR), the data in Table 1 allow one to assess the differences between the "incarceration" and "probation" groups and the degree of similarity between the true randomly assigned groups, and the divergence between the refusal groups and the restitution groups.

Contrasting the "incarceration" youth with the "probation" youth, the data reveal, as expected, that those youth slated for incarceration had

more prior court contacts in the two years prior to referral to treatment, and were slightly older with fewer cases attending school on a full-time basis. The types of referral offenses committed by "incarceration" youth tended to be somewhat more serious, in general, than "probation" youth, although the differences were less than one might have expected. About one-quarter of each group had been referred for a violent offense (25 percent of "incarceration," 28 percent of "probation"), while a larger proportion of "incarceration" youth had been referred for a serious property offense (36 percent) than "probation" youth (24 percent). The modal offense type for "probation" youth was minor property; for "incarceration" youth, serious property.

Within the nonrandomly assigned "incarceration" group, it appears that judges partly based their decisions of who would be permitted to receive a restitution order in lieu of incarceration on the background and referral offense characteristics of the offenders. Youth who had been denied referral to the restitution project (AIR) tended to have committed more serious referral offenses, and were slightly older with a larger proportion not in school.

Within the "probation" groups, no statistically significant differences appeared between the randomly assigned AP groups (AP and APR) and PROB. A difference did emerge, however, within the group that was randomly assigned AP -- i.e., between those youth who chose to go into the restitution project (actual AP) and those who refused (APR) and did not receive the restitution treatment. A significantly larger proportion of youth refusing to go into the restitution program were female (13 percent)

than the proportion of youth consenting (3 percent); the chi-square test of differences was significant beyond the .01 level. There were no other significant differences between AP and APR youth for any of the other background or referral offense variables. This suggests that, with the exception of the sex difference, the AP and APR groups were comparable in the types of offenders they contained (e.g., AP and APR both averaged 1.2 prior offenses), although the attitudes of these offenders toward participating in a restitution program were obviously different.

REOFFENSE RATES IN WASHINGTON, DC

Measuring Recidivism

In order to assess the impact of restitution on the disadvantaged, serious offender's subsequent offense activity, official court recontact data were collected by IPA. Computerized offense histories were obtained from the Data Processing Division of the DC Superior Court for 495 out of the 517 referrals to the six evaluation groups in Washington, DC. This information was mailed to IPA in two waves, and covered all offenses committed up through November 16, 1982. These data were subsequently coded and computerized by IPA and merged with the Management Information System (MIS) data for analysis (See Griffith, 1983: 3-7, 25-39).

In this paper, recidivism is defined as official recontact with the DC Superior Court for offenses committed after the date of referral to the restitution or control treatment and on or before November 16, 1982. Offenses for which these youth were not apprehended or for which no official action was taken are not counted in this study. The overall

average time at risk for these offenders (i.e., the average amount of time from their dates of referral to November 16) was 32.5 months.

The presentation of these data is organized in two major sections. First, the patterns and rates of reoffending for the six evaluation groups are presented in descriptive fashion. Secondly, multivariate analyses are undertaken to determine the effectiveness of restitution as an alternative to probation on the official reoffense activities of these youth.

Patterns and Rates of Recidivism

The official reoffense patterns of youth in the six evaluation groups in Washington, DC are presented in Table 3. Both an overall pattern (i.e., whether a youth committed any type of official reoffense) and patterns of reoffending by specific major offense types which were outlined in Table 2 are displayed. Overall, for the "incarceration" groups, 38 percent of the 76 referrals had committed no official subsequent offenses of any type in the time period outlined above; for the 419 "probation" referrals, 43 percent had no official subsequents.

By major offense types, more "incarceration" than "probation" youth had committed at least one offense for four of the six offense types in Table 3, while there was virtually no difference between "probation" and "incarceration" youth for the other two offense types (violent offenses and burglary and arson). This latter finding is surprising, since these are the two most serious offense types and thus are where the greatest differences between the lesser (probation) and more serious (incarceration) offenders were expected to appear.

Table 1. Profile of Referrals to the Six Evaluation Groups
in Washington, DC

	<u>"Incarceration" Groups</u>			<u>"Probation" groups</u>		
	<u>AI</u>	<u>AIR</u>	<u>INCAR</u>	<u>AP</u>	<u>APR</u>	<u>PROB</u>
<u>School Status</u> (# of cases)	(35)	(29)	(10)	(143)	(131)	(137)
Full time student	69%	45%	60%	75%	72%	72%
Part time/alternative school	6	14	0	11	8	15
Not in school	26	41	40	15	21	13
<u>Race</u> (# of cases)	(36)	(29)	(10)	(144)	(133)	(142)
Black	100%	100%	100%	99%	98%	99%
White	0	0	0	1	2	1
Other	0	0	0	0	1	0
<u>Age at the time of referral</u> (# of cases)	(37)	(29)	(10)	(144)	(133)	(142)
13 or younger	11%	7%	0%	10%	7%	7%
14	14	14	20	17	14	9
15	22	17	20	17	24	26
16	24	21	30	30	30	30
17	24	31	20	22	20	21
18 or older	5	10	10	4	5	7
Mean age	15.5	15.8	15.9	15.4	15.5	15.6
<u>Prior Offenses (two years prior to referral date)</u> (# of cases)	(37)	(29)	(10)	(144)	(133)	(142)
No prior court contacts	14%	21%	20%	37%	35%	39%
One prior court contact	30	24	40	33	30	31
Two to four prior contacts	41	45	40	26	32	28
Five or more prior contacts	16	10	0	4	3	3
<u>Sex</u> (# of cases)	(36)	(29)	(10)	(144)	(133)	(142)
Male	92%	86%	100%	97%	87%	91%
Female	8	14	0	3	13	9

Table 2. Types of Referral Offenses
in Washington, DC

	<u>"Incarceration" Groups</u>			<u>"Probation" groups</u>		
	<u>AI</u>	<u>AIR</u>	<u>INCAR</u>	<u>AP</u>	<u>APR</u>	<u>PROB</u>
<u>Violent</u>						
Rape	0	0	0	0	1	3
Armed Robbery	0	2	0	1	3	5
Unarmed Robbery	7	7	2	35	23	25
Aggravated Assault	<u>1</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>7</u>	<u>12</u>
Subtotal	8	9	2	40	34	45
% of group total	22%	31%	20%	28%	26%	32%
<u>Serious Property Offenses</u>						
Burglary	12	11	4	40	32	25
Attempted Burglary	0	0	0	1	1	1
Arson	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
Subtotal	12	11	4	41	33	27
% of group total	32%	38%	40%	28%	25%	19%
<u>Other Felony Property</u>						
Motor Vehicle Theft	3	5	1	11	6	12
Forgery, Fraud, Embezzlement	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>2</u>	<u>0</u>
Subtotal	3	5	1	13	8	12
% of group total	8%	17%	10%	9%	6%	8%
<u>Minor Personal Offenses</u>						
Simple Assault	0	0	0	9	8	9
Resisting police officer	0	0	0	0	1	2
Other minor personal	0	0	0	1	4	1
Subtotal	0	0	0	10	13	12
% of group total	0%	0%	0%	7%	10%	9%
<u>Minor Property Offenses</u>						
Stolen Property (receiving or possessing)	1	0	0	3	0	1
Vandalism	0	0	0	1	1	3
Disorderly conduct	0	2	0	1	0	0
Pursesnatch and pickpocket	1	1	1	9	10	6
Shoplifting	4	1	1	5	12	20
Other theft	6	0	1	17	18	15
Other minor property	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>
Subtotal	12	4	3	37	41	45
% of group total	32%	14%	30%	26%	31%	32%
<u>Trivial Offenses</u>						
Drugs	1	0	0	2	1	0
Trespass	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>3</u>	<u>1</u>
Subtotal	2	0	0	3	4	1
% of group total	5%	0%	0%	2%	3%	1%

Table 3. Reoffense Patterns by Evaluation Group and Offense Type

	<u>"Incarceration" Groups</u>			<u>"Probation" groups</u>		
	<u>AI</u>	<u>AIR</u>	<u>INCAR</u>	<u>AP</u>	<u>APR</u>	<u>PROB</u>
<u>Overall Distribution of Reoffending</u> (# of cases)	(37)	(29)	(10)	(144)	(133)	(142)
No reoffenses	27%	38%	80%	47%	45%	37%
One reoffense	14	24	0	19	23	23
Two reoffenses	16	7	0	15	14	13
Three reoffenses	16	7	0	6	6	9
Four to six reoffenses	14	17	20	10	8	14
Seven or more reoffenses	14	7	0	3	3	4
<u>Reoffense Patterns by Type of Offense</u>						
<u>SUBSEQUENT VIOLENT OFFENSES</u>						
None	78%	83%	90%	81%	81%	78%
One or more	22	17	10	19	19	22
<u>SUBSEQUENT BURGLARY AND ARSON</u>						
None	84%	83%	90%	81%	90%	79%
One or more	16	17	10	19	10	21
<u>SUBSEQUENT OTHER FELONY PROPERTY</u>						
None	73%	79%	100%	91%	87%	82%
One or more	27	21	0	9	13	18
<u>SUBSEQUENT MINOR PERSONAL</u>						
None	87%	93%	100%	93%	96%	96%
One or more	13	7	0	7	4	4
<u>SUBSEQUENT MINOR PROPERTY</u>						
None	57%	66%	80%	75%	72%	68%
One or more	43	34	20	25	28	32
<u>SUBSEQUENT TRIVIAL</u>						
None	76%	79%	90%	88%	92%	86%
One or more	24	21	10	12	8	14

Rates of reoffending (Tables 4 and 5) give one a clearer indication of the differences between youth in these two major groupings. Rates were calculated and standardized to reflect the number of offenses per 100 youths per year. Table 4 shows recidivism rates only, while Table 5 shows standardized offense rates both before and after referral.

Comparing the rates of "incarceration" and "probation" youth, the overall annual reoffense rate per year was substantially larger for "incarceration" youth than for "probation" youth. Excluding youth in INCAR, the average annual rate of reoffense for the "incarceration" group was 85 offenses per 100 youth, while for "probation" youth it was 57 offenses per 100.

Comparisons between the two restitution groups only (AI and AP) reveal similar differences. The AI group had reoffense rates about 1.7 times as large as AP. Moreover, the differences between these two groups persisted for most major offense types. The only notable exception was burglary and arson where AP had higher rates than AI.

An interesting and somewhat perplexing finding appears for the three "probation" groups. While the restitution group (AP) had reoffense rates eleven points lower than the control group (PROB), AP's rates were not substantially different from those youth who were randomly assigned to restitution but who refused treatment (APR), although all three groups had identical prior ("before") offense histories. Thus, one is faced with the finding that youth randomly assigned restitution (AP and APR) appeared to have lower reoffense rates than youth randomly assigned probation (PROB), but that about half of the youth randomly assigned restitution received the

Table 4. Reoffense Rates by Evaluation Group and Offense Type

	<u>"Incarceration" Groups</u>			<u>"Probation" groups</u>		
	<u>AI</u>	<u>AIR</u>	<u>INCAR</u>	<u>AP</u>	<u>APR</u>	<u>PROB</u>
<u>Group Reoffense Rates</u> (# of cases)	(37)	(29)	(10)	(144)	(133)	(142)
# of subsequent offenses for group	101	62	10	207	180	246
Months of risk time for group	1,351	966	414	4,635	4,166	4,569
Average risk time per youth (in months)	36	33	41	32	31	32
Average # of offenses per youth	2.73	2.14	1.00	1.44	1.35	1.73
Overall reoffense rate, per 100 youths, per year	91	78	29*	54	52	65
<u>Reoffense Rates for major offense types (per 100 youths, per year)</u>						
Violent	22	14	3*	13	15	12
Burglary and Arson	6	28	6*	10	7	12
Other Felony Property	20	10	0*	4	9	9
Minor personal	7	3	0*	3	2	2
Minor property	22	16	18*	19	15	22
Trivial	14	8	3*	5	4	8

*These rates are highly unstable due to the small number of cases (N = 10) on which they are based. They are included only for descriptive purposes.

Table 5. Pre/Post Comparisons of Offense Rates for Youths in Each of the Six Evaluation Groups

	"Incarceration" Groups						"Probation" groups					
	AI		AIR		INCAR		AP		APR		PROB	
	B	A	B	A	B	A	B	A	B	A	B	A
Total Offense Rate, per year, per 100	119	91	105	78	85	29*	61	54	62	52	61	65
Violent rate	22	22	22	14	15	3*	12	13	14	15	11	12
Burglary/arson rate	26	6	33	28	35	6*	17	10	12	7	13	12
Other property rate	22	20	12	10	0	0*	4	4	7	9	6	9
Minor personal rate	5	7	0	3	10	0*	3	3	4	2	6	2
Minor property rate	38	22	33	16	20	18*	21	19	23	15	23	22
Trivial rate	7	14	5	8	5	3*	3	5	3	4	2	8
Number of cases	(37)		(29)		(10)		(144)		(133)		(142)	

Figures in the cells for the "before" period (B) show the rate of offenses per year committed by each 100 youths during the pre-intervention time period. This "before" period examined two years of data for these youth. For the "after" period (A), similarly computed yearly rates are displayed based on three years of post-intervention data.

*The before and after rates for the incarceration group (INCAR) are highly unstable due to the small number of cases (N = 10) on which they are based. They are included only for descriptive purposes.

probation (control) treatment! This issue will be examined further in the next section.

Impact of Restitution on Recidivism

To assess the impact of the alternatives to probation restitution treatment on official subsequent offense activity, a number of multiple regression analyses were conducted. For each of the different measures of recidivism reported in these analyses, "frequency" refers to the number of offenses committed, while "rate" refers to the rate at which these offenses were committed during each youth's time at risk. It is thus possible for a youth to have a relatively high frequency of recidivism and a low rate, if the youth had a longer than average time at risk (i.e., if the youth were one of the earliest referrals to treatment).

The purest test of the impact of treatment is simply an analysis of the relationships between the randomly assigned treatment and the various recidivism measures, disregarding refusals or other treatment contamination issues. This analysis is presented in Table 6. After excluding cases containing missing data, the number of cases in these analyses is 410; 273 in randomly assigned AP (i.e., AP and APR are combined) and 137 in PROB.

The results of the analyses in Table 6 show that youth randomly assigned to alternatives to probation restitution had significantly lower levels of overall recidivism (at or beyond the .05 level) than youth randomly assigned to probation (PROB), after controlling for the number of priors, age, race, school status and sex. Randomly assigned restitution youth also committed significantly fewer serious property offenses and had lower rates of minor property offenses. Moreover, the most serious

Table 6. Multiple Regression Analysis of Recidivism Rates of Youth Randomly Assigned Restitution or Probation

<u>Recidivism Measure</u>	RELATIONSHIPS BETWEEN RANDOMLY ASSIGNED TREATMENT AND RECIDIVISM					
	Zero-Order <u>r</u>	<u>Sig.</u>	Partial <u>b</u>	SE <u>b</u>	Beta Weight	Multiple R Squared
OVERALL RECIDIVISM						
Frequency	.08	.06	.43*	.21	.10	.10
Rate	.07	.07	.16*	.08	.10	.09
VIOLENT OFFENSES						
Frequency	-.02	.37	.02	.11	.01	.06
Rate	-.02	.38	.01	.04	.01	.05
SERIOUS PROPERTY OFFENSES						
Frequency	.08	.06	.13*	.07	.10	.05
Rate	.06	.11	.04	.03	.08	.05
OTHER FELONY PROPERTY						
Frequency	.05	.17	.06	.06	.04	.03
Rate	.04	.21	.02	.02	.04	.03
MINOR PERSONAL OFFENSES						
Frequency	-.04	.21	-.02	.03	-.03	.01
Rate	-.04	.20	-.01	.01	-.03	.01
MINOR PROPERTY OFFENSES						
Frequency	.07	.06	.17	.10	.08	.06
Rate	.08	.05	.07*	.04	.09	.04
TRIVIAL OFFENSES						
Frequency	.07	.07	.07	.05	.07	.01
Rate	.06	.10	.02	.02	.06	.02
SERIOUSNESS INDICES						
Most serious reoffense	.07	.08	.53*	.25	.10	.10
Seriousness score	.03	.27	.79	.65	.06	.09
Seriousness rate	.02	.33	.27	.25	.05	.08

The zero-order correlations (r) are the simple relationships between the randomly assigned treatment (1 = restitution; 2 = probation) and the recidivism measure. The partial b is the partial unstandardized regression coefficient showing the independent effect of the treatment on recidivism after controlling for prior offenses, age, race, school status, and sex; partial b's that are statistically significant at the .05 level are marked with an asterisk (*). The beta weight is the partial standardized regression coefficient and is useful for assessing the relative independent effect of treatment across different recidivism measures. For the frequency variables (including most serious reoffense and seriousness score), the amount of time at risk was also controlled in the multiple regression analyses. For the simple correlations and the regression coefficients, positive values indicate the restitution group tended to recidivate less; negative values, the probation group.

reoffense committed by randomly assigned AP youth tended to be of lesser severity than the most serious reoffense committed by randomly assigned PROB youth.

The amounts of variance in the recidivism measures explained by the five background variables and the treatment variable in the multiple regression analyses in Table 6 were only low to moderate, however. In the overall recidivism measure, where the randomly assigned treatment variable had its greatest effect, ten percent of the variance was explained; however, on the average, five percent of the variance was explained in these analyses. This suggests that while, in some instances, the randomly assigned treatment had a statistically significant effect, large amounts of the variance in subsequent offense activity were explained by other, unmeasured factors.

As discussed previously substantial treatment contamination occurred in the randomization of referrals to AP and PROB, with about half of the randomly assigned AP youth receiving probation instead of restitution. With this issue in mind, four additional sets of multiple regression analyses similar to those presented in Table 6 were conducted. In each instance different evaluation groups were included or excluded creating different treatment comparison groups; in each case the independent (treatment) variable was dichotomous. In the interest of parsimony these results are not presented in tabular form, but are instead summarized below.

In the first set of analyses, only the randomly assigned AP youth were included, with those youth who received restitution (AP) being contrasted

with those who refused (APR). In this instance, two statistically significant relationships appeared. They suggested that those youth who received restitution committed fewer other felony property offenses (both frequency and rate) than youth who refused.

The second series of multiple regression analyses contrasted youth who received restitution (AP) with youth randomly assigned to probation (PROB); APR youth were excluded. These analyses revealed statistically significant relationships between AP and PROB for measures of overall recidivism, other felony property, minor property offense rates, most serious reoffense, and seriousness score. In each instance, restitution youth had lower rates of recidivism than PROB.

The third series of analyses contrasted youth who received restitution (AP) with youth who did not (APR and PROB). In this case, there were statistically significant differences suggesting that youth who received restitution had lower rates and a lower frequency of other felony property offenses than youth who refused restitution or were randomly assigned probation. There were no other statistically significant differences.

The fourth series of analyses compared youth who refused restitution (APR) with youth randomly assigned to probation (PROB); youth who received restitution (AP) were excluded. These analyses yielded two statistically significant differences; both favored the APR group. APR youth had a lower frequency of subsequent burglary and arson, and a lower frequency of minor property offenses than youth randomly assigned probation.

SUMMARY AND DISCUSSION

On the whole, the results of this analysis suggest two major findings for the Washington, DC restitution project. First, youth who were randomly assigned into the alternatives to probation restitution treatment -- whether they received restitution or not -- tended to have lower recidivism rates than youth randomly assigned probation.

Secondly, youth who actually received restitution had, in some instances, lower recidivism levels than youth who refused restitution or who were randomly assigned probation, and the youth who received restitution never had significantly higher rates of recidivism than the youth who were randomly assigned probation or who refused restitution.

Why then did youth randomly assigned restitution have lower reoffense rates than youth who were randomly assigned probation, whether or not the former received the restitution treatment? Differences in the background characteristics of the two randomly assigned groups do not appear to account for these differences. As discussed earlier, there were no significant differences in the background characteristics of the two randomly assigned groups. Moreover, background characteristics were controlled for in the multiple regression analyses.

Our speculation instead is that the answer to this question lies with the more realistic choices the randomly assigned AP youth were given and the greater involvement they had in the determination of their disposition which the PROB youth did not have.

Each youth who is adjudicated and receives a disposition from the

juvenile court in Washington, DC must "agree" to the terms of that disposition. If the youth does not agree, an alternative disposition will be imposed. For a youth who was randomly assigned to PROB, on the one hand, usually the only alternative disposition was commitment. Other dispositions of equivalent severity to probation usually were not available to the PROB youth, and the youths usually had no active involvement in the determination of their dispositions. Thus, while PROB youth had a "choice" in the type of disposition they could receive, rational individuals, under most circumstances, accepted the terms of the probation disposition rather than refusing it in favor of a more serious sanction.

Randomly assigned AP youth, on the other hand, were presented with two choices of roughly equivalent severity (in addition to any dispositions of greater severity), and they were allowed some involvement in the process of determining their disposition orders; they could participate in and accept the terms of a restitution agreement, including early termination from probation upon completion of restitution, or they could receive the traditional probation treatment. As the data revealed, one-half of all randomly assigned AP youth chose restitution and the other half chose probation.

We are positing that the randomly assigned AP youth had lower recidivism rates because they participated in and had a choice in the determination of their disposition, and that this choice component allowed them to select a treatment somewhat better suited to their individual interests and motivations and thus one which was more efficacious in impacting their future behaviors.

To test the hypothesis that allowing juvenile offenders to participate in and make choices in the determination of the disposition will reduce recidivism, one would need a research design where youth were randomly assigned into a true choice and a no-choice component. One could argue, however, that youth in PROB (as discussed above) were randomly assigned to a de facto no-choice component, and that this research did test the choice hypothesis at the expense of testing the effectiveness of restitution as an alternative to probation.

However, one could also argue that a test of the effectiveness of restitution in reducing recidivism was also conducted, and that, after taking into account the treatment contamination issues, the data did suggest a mild but unambiguous positive effect of the alternatives to probation restitution treatment on recidivism.

Implications

The implications of these findings for restitution in general and the Washington, DC restitution project in particular are clear. For restitution in general, these findings provide additional evidence that youth who receive restitution orders are no more likely to commit subsequent offenses than youth who receive probation, and in some instances restitution youth will have lower recidivism rates than their nonrestitution counterparts. Thus, with the additional benefits, compared with probation, that a restitution disposition provides -- i.e., compensation to victims of crime or the community, work experience for juvenile offenders, greater community support (Seljan, 1983) -- these findings are indeed positive.

Similarly, for the Washington, DC restitution project these findings are encouraging. The Washington, DC treatment, including the choice component, reduced recidivism compared to the the court's traditional probation treatment. This suggests that continuation of the Washington, DC restitution program as it operated during the period of evaluation is to be encouraged if the reduction of recidivism is a goal of the juvenile court.