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# KENT COUNTY COMMUNITY JUSTICE CENTER



## AN OUTCOME EVALUATION

CONDUCTED BY THE  
DELAWARE CRIMINAL JUSTICE COUNCIL

Research and Program Evaluation Unit

820 N. French Street 10<sup>th</sup> Floor

Wilmington, Delaware 19801

302 - 577 - 5030

November 1998

**Kent Community Justice Center**

**People's Place II**

**319 - 323 S. State Street**

**Dover, DE 19901**

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**Contacts:** Ms. Sharon Letts, Program Director, KCCJC  
Matt Rubincam, Criminal Justice Council, Senior Planner (Juvenile Area)  
Cheryl Stallmann, Criminal Justice Council, Coordinator (Byrne Funding)

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	<b>FY93</b>	<b>FY94</b>	<b>FY95</b>	<b>FY96</b>	<b>FY97</b>
<b>Juvenile Funding (JF)</b>	\$0	\$30,000	\$20,000	\$20,000	\$0
<b>Byrne Funding (DB)</b>	\$10,000	\$33,450	\$66,000	\$66,000	\$33,000
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<b>GRAND TOTAL</b>					<b>\$278,450</b>

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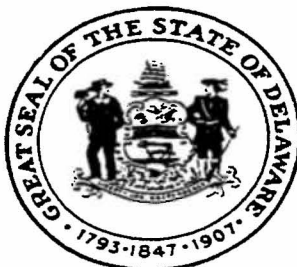
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**Written by**  
**Arthur H. Garrison**  
**Criminal Justice Planning Coordinator**

**Preliminary draft prepared by**  
**Maribeth L. Trojan, Criminal Justice Planner**

**Data analysis**  
**by**

**Dr. Danilo Yanich**  
**School of Urban Affairs &**  
**Public Policy**  
**University of Delaware**



**Arthur H. Garrison**  
**Planning Coordinator**  
**Research and Program**  
**Evaluation Unit**  
**Criminal Justice Council**

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# Executive Summary

The Delaware Criminal Justice Council (CJC), in an effort to answer the question "What criminal justice programs work," conducts evaluations of programs that it funds each year. The Kent

County Community Justice Center in 1994 received a \$10,000 grant to implement a victim-offender mediation program. The goal of the program was to allow a victim of a non-violent offense to meet with the offender and reach a mediated agreement in which the victim receives compensation for the harm done by the offender. The theory of the program rests on the principle that when the victim and offender meet and the harm perpetrated is acknowledged by the offender, the victim can have closure and satisfaction. At the same time, the offender is provided an opportunity to rectify the harm done and reach an understanding of how his/her actions effect others.

## Overall Results

- ➡ Of the total offenders *referred* to the program, 85.0 percent agreed to participate in mediation; and,
- ➡ Of those offenders who *participated in mediation*, 93.7 percent, successfully completed the mediated settlement;
- ➡ Of the total offenders referred to the program, 88.9 percent of all juveniles and 83.3 percent of all adults successfully completed their mediated agreements.

## Impact Objectives

The Criminal Justice Council conducted an outcome evaluation to determine if the four impact objectives that were articulated by the agency were accomplished. Those impact objectives and the assessment of achievement of those objectives are as follows:

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***Impact Objective 1***

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The victim and offender reach a mutually agreed upon resolution in 85 percent of the cases referred.

*Finding:* 85 percent of the victims and offenders reached a mediated agreement.

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***Impact Objective 2***

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Eighty - five percent of all juvenile/adult offenders will comply with the agreement and repay 100 percent of mediated restitution.

*Finding:* 93.7 percent of all offenders who agreed to participate in mediation successfully completed their mediated agreements.

*Finding:* 95 percent of all juveniles and 93.4 percent of all adults completed their mediated agreements.

*Finding:* 100 percent of all juveniles and 96.2 percent of all adults fully complied with mediated restitution.

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***Impact Objective 3***

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Seventy-five percent of all victims will be satisfied with the mediation process.

*Finding:* 92.1 percent of all victims were satisfied with the process.

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***Impact Objective 4***

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The time from referral to mediation must be less than 67 days.

*Finding:* The median program time (juveniles and adults) was 14 days.

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**Conclusion**

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The Criminal Justice Council has determined, based on the stated impact objectives, that the Kent County Community Justice Center Victim-Offender program is successful.

# Introduction

Over the past 20 years the criminal justice system has witnessed the evolution of an effective alternative to traditional court case processing: community justice centers. Community justice centers have emerged as citizens grow more concerned about issues like court case backlog, delays in speedy trials, and rising court costs. Criminal justice professionals have also become increasingly interested in community justice centers because they provide a viable diversion from traditional adjudication processes for non-violent offenses. Community justice centers augment the criminal justice system by directly addressing the question of equal access to traditional adjudication, by formulating creative solutions to disputes, and by transforming public perceptions about the effectiveness of adjudication.

The State of Delaware has recognized that the criminal justice system is backlogged with court cases and its operations are far removed from the community and the crime victim. At annual public hearings sponsored by the CJC, crime victims frequently voice their dissatisfaction with sentencing accountability and with the failure of offenders to pay court ordered restitution. In response to this public critique, the Criminal Justice Council funded the Kent County Community Justice Center, a community-based justice program that diverts non-violent cases from adult and juvenile court.

## **The Kent County Community Justice Center**

The Kent County Community Justice Center (KCCJC), now known as the Center for Community Justice (the Center), began taking cases as specialists in victim-offender mediation in October 1994. The program was given a \$10,000 grant from the CJC in 1994. The CJC has increased the funding to a grant total of \$208,450 from the Edward Byrne Memorial Grant Fund and \$70,000 from the Juvenile Justice and Delinquency Prevention grant at the close of fiscal year 1997.

The mission of the pilot program was to create a victim-offender mediation program which would provide an alternative to court adjudication for non-violent offenses. The goal of the project was to divert pre-trial non-violent cases from both the adult and juvenile courts in Kent County, Delaware.

The Center is a grassroots program with the goal of refocusing justice from the traditional court process to the community via victim offender mediation. The focus emphasizes victim compensation, offender restitution, and community service. Vice Chancellor Myron T. Steele initiated the program to resolve three common issues with the traditional court process: backlog of cases, victim dissatisfaction, and lack of victim input into case processing of minor offenses.

Community leaders were brought together as an advisory group to provide direction in the development of the program to meet the needs of the victim and offender alike. The advisory board is comprised of a Superior Court Judge, a Deputy Attorney General, a Family Court Commissioner, the Executive Director of the Center, a Pre-Sentence Officer from the Kent County Superior Court, Dr. George Johnson, Department of Social Work, Delaware State University, the Executive Director Catholic Charities, the Executive Director of the Dover Educational and Community Center, the Executive Director of the Police Chief's Council, Capt. Robert Mays from the Dover Police Department and the Executive Director of the Dover Central Chamber of Commerce.

The Center's victim-offender mediators are all volunteers who receive training in conflict resolution and mediation techniques. This direct community participation has enhanced the project's goal of community involvement in victim restoration. The participation of community mediators brings a sensitivity and understanding of the neighborhood culture and values along with an application of local informal justice standards.

The Community Justice mediation program focuses on "restorative justice" rather than "retributive justice" as its philosophy. The goal of the mediation process is the delivery of justice that seeks to address the harms to victims and the community instead of only concentrating on adjudicating and punishing offenders. Victim-offender mediation programs are unique to the dispute field in that these programs: (1) almost exclusively address conflicts between strangers; (2) the typical resolution seeks to arrange for restitution to the victim; and, (3) the mediation process also seeks to enhance the offender's understanding of the consequences of their offense.

The Center handles equal amounts of offenses involving non-strangers and strangers. Although monetary restitution can be the focus of community justice, during mediation victims are not limited in the types of sanctions which would be more meaningful to them. For instance, some agreements have included: donations to a charity in the victim's name, community service, work for the victim, a letter of apology, a letter to the local newspaper, speaking to a public school class, baby-sitting for the victim's family, attending a treatment program, maintaining a particular grade level, attending Alcoholic's Anonymous, attending religious-based counseling, and counseling other youthful offenders. Because the offender is not "ordered" and agrees with the mediation, offenders seem more likely to create a viable resolution to the conflict. Due to the fact that the resolution is agreed to by both the victim and the offender, the resolution itself acquires particular meaning to the offender and victim.

# Impact Objectives

Each agency that receives grant funding from the Criminal Justice Council is responsible for formulating quantitative impact objectives so the

CJC can monitor the extent to which that program fostered positive change within their community. The Criminal Justice Council, beginning with a \$10,000 grant (DB93-34) awarded in June 1994, assisted in the establishment of the Community Justice Center.

The Delaware Criminal Justice Council provided grants to the center through two federal funding sources. Funding through the Juvenile Justice and Delinquency Prevention grant totaled \$70,000 (1994 - 1996) and supported the Community Justice Center mediation cases referred by the Kent County Family Court. In regard to cases referred by Family Court, the impact objectives (as reflected in the 1996 grant application) were as follows:

## *Family Court Impact Objectives*

1. **The victim and offender reach a mutually agreed upon resolution in 85 percent of the cases referred.**

*Finding:* 89.8 percent of the victims and offenders reached a mediated agreement.

2. **Eighty five percent of all juvenile offenders comply with the agreement and repay 100 percent of mediated restitution.**

*Finding:* 95 percent of all offenders who agreed to participate in mediation successfully completed their mediated agreements and 100 percent fully complied with mediated restitution.

*Finding:* 88.9 percent of all referred juveniles successfully completed their mediated agreements.

3. **Seventy five percent of all victims will be satisfied with the mediation process.**

*Finding:* 92.1 percent of all victims were satisfied with the process.

**4. The time from referral to mediation must be less than 67 days.**

*Finding:* The median program time was 16 days.

Funding through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant totaled \$208,450 (1993 - 1997) and supported the Community Justice Center mediation cases referred by the Kent County Superior Court. Superior Court impact objectives (as reflected in the 1997 grant application) were as follows:

***Superior Court  
Impact Objectives***

**1. 85 percent of all offenders will comply with the mediated agreement.**

*Finding:* 93.4 percent of all adult offenders who agreed to participate in mediation successfully completed their mediated agreements.

**2. 85 percent of all offenders will pay 100 percent of mediated restitution.**

*Finding:* 96.2 percent of all offenders paid mediated restitution.

**3. 75 percent of all victims will be satisfied with the mediation process and outcomes.**

*Finding:* 92.1 percent of all victims were satisfied with the process.

**4. The time from referral to mediation must be less than 67 days.**

*Finding:* The median program time was 14 days

# Findings

**Impact Objective 1:** In regard to all offenders referred to the program, 88.9 percent of the juvenile offenders and 83.3 percent of the adults successfully completed their mediated agreements. Tables 1, 2 and 3 below, represent the compliance rates of those who were referred to the program and then successfully completed mediated agreements. The offender failed to comply category includes cases in which mediation occurred but no agreement was reached, the victim and/or offender or both failed to appear for mediation and program return (the case did not fit the parameters of the program).

Table 1: Compliance Rates for Juveniles and Adults

Case Outcome	Juvenile % (n)	Adult % (n)
Offender Complied	88.9 (96)	83.3 (394)
Offender Failed to Comply	10.2 (11)	16.1 (76)
Open Case	0.9 (1)	0.6 (3)
TOTAL	100 (108)	100 (473)

Table 2: Compliance Rates by Race/Ethnicity

Case Outcome	Caucasian % (n)	African-American % (n)	Hispanic or Asian % (n)
Offender Complied	86.7 (312)	80.9 (165)	91.7 (11)
Offdr Failed to Comply	13.1 (47)	18.1 (37)	8.3 (1)
Open Case	0.3 (1)	1 (2)	0 (0)
TOTAL	100 (360)	100 (204)	100 (12)



**Table 3: Compliance Rates by Gender**

Case Outcome	Male % (n)	Female % (n)
Offender Complied	85.7 (288)	83.2 (198)
Offender Failed to Comply	13.4 (45)	16.4 (39)
Open Case	0.9 (3)	0.4 (1)
TOTAL	100 (336)	100 (238)

Of the total cases referred to the program 83.2% of all females complied with mediated agreements. Males had an 85.7% compliance rate with mediated agreement. Juveniles had a successful completion rate of 88.9% and adults had an 83.3% success rate. Caucasians had an 86.7% success rate, African Americans had an 80.9% success rate and Hispanics/Asians had an 84.7% success rate.

**Impact Objective 2:** The second impact objective was to have 85 percent of all juvenile offenders pay 100 percent of the mediated restitution. All (100%) of the juvenile offenders paid all (100%) of the mediated restitution. More than 95 percent (96.2%) adults repaid 100 percent of the mediated restitution. Table 4 below represents the findings for juvenile and adult payment activity.

**Table 4: Restitution Status, Juveniles and Adults**

Restitution Status	Juveniles %	Adults %
Restitution Paid in Full	100	96.2
Restitution Not Paid	0	3.8
TOTAL	100	100

**Impact Objective 3:** The third impact objective was that the length of time from program referral to mediation be less than 67 days. Program time is defined as the period between the referral and mediation completion dates. The majority of offenders (99.1%) completed the program in 68 days or less. The median program time (the value at which half of the offenders spent fewer days in the program and half of the offenders spent longer in the program) for all offenders was 14 days. The shortest program time was one day and the longest was 93 days.

Table 5 below indicates the median program times by age status (juveniles and adults), case outcome, gender and race/ethnicity. None of the differences between groups was statistically significant.

**Table 5: Median Program Time**

<b>Characteristic</b>	<b>Median Program Time (in Days)</b>
<b><i>Age Status</i></b>	
<b>Juvenile</b>	<b>16</b>
<b>Adult</b>	<b>14</b>
<b><i>Case Outcome</i></b>	
<b>Offender Complied</b>	<b>14</b>
<b>Offender Failed to Comply</b>	<b>20</b>
<b>Open Case</b>	<b>12</b>
<b><i>Gender</i></b>	
<b>Female</b>	<b>14</b>
<b>Male</b>	<b>14</b>
<b><i>Race/Ethnicity</i></b>	
<b>White</b>	<b>14</b>
<b>Black</b>	<b>14</b>
<b>Hispanic or Asian</b>	<b>9</b>

In regard to the total cases referred to the program, 85 percent resulted in a mediated agreement. Table 6 below reflects the case breakdown of case codes.

**Table 6: Distribution of Referred Cases by Case Code**

<b>Intake Code</b>	<b>% (n)</b>
<b>Mediated w/ Agreement</b>	<b>85.0 (497)</b>
<b>Mediated No Agreement</b>	<b>5.0 (29)</b>
<b>Offender No Show</b>	<b>2.7 (16)</b>
<b>Victim No Show</b>	<b>1.7 (10)</b>
<b>Program Return</b>	<b>1.4 (8)</b>
<b>Other*</b>	<b>4.2 (25)</b>
<b>TOTAL</b>	<b>100 (585)</b>

\*Includes case intake descriptions: victim refused to mediate, offender refused to mediate, victim contacted, offender contacted.

## Survey Results & Highlights

In an effort to assess the satisfaction rate of victims the Center asked victims to complete a "satisfaction survey" after the mediation process had concluded. This evaluation includes the opinions of 126 victims surveyed.

### Satisfaction with the Mediation Agreement

**Table 7: Level of Satisfaction with Mediation Agreement**

Level of Satisfaction	% (n)
Completely Satisfied	46.8 (59)
Very Satisfied	18.3 (23)
Satisfied	27.0 (34)
Very Dissatisfied	2.4 (3)
Completely Dissatisfied	2.4 (3)
No Reply	3.2 (4)
<b>TOTAL</b>	<b>100 (126)</b>

More than 90 percent of the survey respondents were satisfied with their mediation agreement. In fact, 47 percent of the survey respondents were "completely satisfied" with the mediation agreement. Table 7 illustrates the level of satisfaction with their mediation agreement reported by survey respondents.

### Employing Alternative Criminal Justice Sanctions

Survey respondents reported that their dispute was resolved 73 percent of the time (n=92). Also, some survey respondents indicated exactly what kind of agreement solution was employed to resolve their dispute. For the staff at the KCCJC "mediation" does not only signify that a dispute has been resolved through a mediated agreement. For some cases, the achievement of an understanding of each party's actions may be all that is necessary to resolve a dispute. However, for other cases a mediation agreement may include activities and/or sanctions beyond reaching an understanding or agreement. Criminal justice sanctions ranged from community service, restitution, to a written apology. Survey respondents

**Table 8: Alternative Criminal Justice Sanctions Employed**

<b>Solution Technique</b>	<b>% (n)</b>
<b>Apology</b>	<b>34.0 (18)</b>
<b>Restitution</b>	<b>32.1 (17)</b>
<b>Community Service</b>	<b>20.8 (11)</b>
<b>Other Resolution</b>	<b>13.2 (7)</b>
<b>TOTAL</b>	<b>100 (53)</b>

reported that mediated resolutions utilized criminal justice sanctions 42 percent of the time (n=53). Table 8 reflects the number of times a criminal justice sanction was utilized in addition to realizing an understanding among mediation participants.

### Rating the Mediators

Overall, survey respondents awarded the mediators very high ratings. Mediators were evaluated for fairness, helpfulness, and their skill level for conducting the case. Overall, 90 percent of the survey respondents rated the mediators' fairness "good" or better, their helpfulness "good" or better and their skill level "good" or better at conducting the case. Table 9 indicated the respondents ratings of the program mediators.

**Table 9: Mediator Fairness, Helpfulness and Skill**

<b>Rating % (n)</b>	<b>Fairness % (n)</b>	<b>Helpfulness % (n)</b>	<b>Skill % (n)</b>
<b>Excellent</b>	<b>68.3 (86)</b>	<b>65.1 (82)</b>	<b>65.1 (82)</b>
<b>Very Good</b>	<b>17.5 (22)</b>	<b>23.4 (27)</b>	<b>16.7 (21)</b>
<b>Good</b>	<b>6.3 (8)</b>	<b>7.1 (9)</b>	<b>8.7 (11)</b>
<b>Fair</b>	<b>1.6 (2)</b>	<b>2.4 (3)</b>	<b>1.6 (2)</b>
<b>Poor</b>	<b>1.6 (2)</b>	<b>1.6 (2)</b>	<b>1.6 (2)</b>
<b>No Reply</b>	<b>4.8 (6)</b>	<b>2.4 (3)</b>	<b>6.3 (8)</b>
<b>TOTAL</b>	<b>100 (126)</b>	<b>100 (126)</b>	<b>100 (126)</b>

## Rating the Mediation Process

Over eight of ten of the survey respondents rated the mediation process as “very good” or “excellent.” A total of 82.5 percent of the survey respondents reported that if a friend was in a similar situation they would recommend the mediation program at the KCCJC to them. Additionally, nineteen survey respondents answered the

question, “If you encountered a similar problem in the future where would you go for help?” of which eight answered that they would contact the KCCJC. Table 10 shows the overall ratings given by respondents about how they would rate the program.

A total of 70.6 percent (n=89) of the survey respondents noted that the Community Justice Center was their first experience with the criminal

justice system. Of the 126 survey respondents, 45.2 percent (n=57) reported that the mediation process changed their opinion of the criminal justice system, for the better, and 50.8 percent (n=64) reported that the mediation process did not change their opinion of the criminal justice system. Respondents whose opinion of the criminal justice system changed as a result of their mediation experience most frequently commented on the difference between “going to court” and attending mediation. Their comments most often stressed the fairness, ease, and appropriateness of mediation versus court. The following are comments included in the KCCJC satisfaction survey:

- Mediation is a better way to resolve differences;
- Mediation was faster and better able to address different types of offenders;
- Mediation helped to have families together to talk and work things out;

**Table 10: Rating the Mediation Process**

Rating	% (n)
Excellent	43.7 (55)
Very Good	41.3 (52)
Good	8.7 (11)
Average	4.0 (5)
Fair	0.8 (1)
No Reply	0.8 (1)
<b>TOTAL</b>	<b>100 (126)</b>

- Mediation was fair on my (offending) part and I did not think it would be;
- Mediation was more personal;
- Mediation was more simple;
- Mediation should be used more often;
- Mediation saves a lot of money; and,
- Mediation is fair and equal.

All of the thirty four survey respondents who had previous experiences with the criminal justice system, rated the mediation agreement "satisfactory" or better. In fact, sixteen of the thirty four (47.0%) rated their mediation agreement as "completely satisfactory." Furthermore, twenty nine of the thirty four (85.3%) survey respondents rated the mediation process itself as "very good" and "excellent."

Survey respondents provided meaningful constructive criticism when asked what suggestions they had to improve the Community Justice Center program. Their comments included:

- mediators should be better informed about the facts of the case before commencing with negotiations, mediators should not automatically assume that the "victim" is totally innocent;
- mediators should better insure that the opinions of all participants are expressed;
- mediators should provide a list of mediation options before the negotiations begin; and,
- mediators should better explain what mediation is before negotiations begin.

The overriding opinion among the respondents was that the program provided a positive experience and that it should be utilized more frequently.

## **Program Statistical Information**

### **Assignment of Cases Referred to the KCCJC Program**

Of the 585 referred cases, 526 (89.9 %) were assigned to mediation (Table 11). Cases that were not assigned (59 or 10.1 %) to mediation included cases in which the offender to did attend a mediation, the victim did not attend, neither attended, the program could not contact one or both parties, either party was in jail, the case did not fit the parameters of the program, the victim refused to mediate the case or the offender refused to mediate the case.

**Table 11: Assignment of Cases**

<b>Assignment Status</b>	<b>% (n)</b>
<b>Assigned to Mediation</b>	<b>89.9 (526)</b>
<b>Not Assigned to Mediation</b>	<b>10.1 (59)</b>
<b>TOTAL</b>	<b>100 (585)</b>



## Assignment of Cases by Demographic Characteristics

Across the demographic characteristics of age, gender and race/ethnicity, approximately nine out of ten persons referred to the KCCJC program were assigned to mediation (Table 12).

**Table 12: Demographic Characteristics of Mediation Participants**

Characteristic	Assigned to Mediation % (n*)	Not Assigned to Mediation % (n*)
<b>Age</b>		
Juvenile (17 years and under)	93.5 (101)	6.5 (7)
Adult	89.2 (422)	10.8 (51)
<b>Gender</b>		
Female	89.9 (214)	10.1 (24)
Male	90.8 (305)	9.2 (31)
<b>Race/Ethnicity</b>		
Caucasian	92.2 (332)	7.8 (28)
African American	86.8 (177)	13.2 (27)
Hispanic or Asian	100 (11)	0

\*For each of the demographic categories there were respondents (less than .05%) for whom there was no information; therefore the number of participants *within* categories does not equal 585, the total number referred to the KCCJC program.

## Mediation Performance

A total of 493 (93.7%) of the 526 cases that were assigned to mediation resulted in the offender compliance with the mediated agreement (Table 13). These 493 cases account for 84.3% of all cases (585) referred to the program.

**Table 13: Mediation Performance**

<b>Performance</b>	<b>% (n)</b>
<b>Complied w/ Mediation Agreement</b>	<b>93.7 (493)</b>
<b>Failed to Comply w/ Mediation Agreement</b>	<b>5.5 (29)</b>
<b>Open Cases</b>	<b>0.8 (4)</b>
<b>TOTAL</b>	<b>100 (526)</b>

## Additional Research Questions

During the evaluation, four additional research questions were posed:

- (1) What were the demographic characteristics of the offenders who were assigned to mediation?
- (2) What offenses were committed by those who were assigned to and not assigned to mediation?
- (3) What were the demographic characteristics of the offenders who complied and failed to comply with the mediation agreement?
- (4) What offenses were committed by those who complied with and did not comply with the mediation agreement?

**Question 1**

What were the demographic characteristics of the offenders who were assigned to mediation?

Table 14 below shows the breakdown of offenders who agreed to participate in the program. Juveniles accounted for a little less than 20 percent of all offenders; and, adults accounted for about 80 percent offenders. The majority of participants were male and white.

**Table 14: Demographic Characteristics of Mediation Participants**

Characteristic	% (n*)
<b>Age</b>	
Juvenile (17 years and under)	19.3 (101)
Adult	80.7 (422)
<b>Gender</b>	
Female	41.2 (214)
Male	58.8 (305)
<b>Race/Ethnicity</b>	
Caucasian	63.8 (332)
African American	34.0 (177)
Hispanic or Asian	2.2 (11)

\*For each of the demographic categories there were respondents (less than .05%) for whom there was no information; therefore the number of mediation participants within categories does not equal 526.

**Question 2**

What offenses were committed by those who were assigned to and not assigned to mediation?

The offenses that were committed by the offenders were aggregated into the eleven categories that appear in Table 15 below. The most numerous offense for the mediation group, accounting for over one-fifth of the total offenses, was issuing a bad check. The "other" category of offenses is an aggregation of those offenses that appeared very few times in the data base. Conversely, a plurality of offenders not assigned to the mediation group committed an offensive touch offense (14.0%). Table 15 shows the comparison between the distribution of offenses for those offenders assigned and not assigned to mediation. There was no statistical differences between the two groups regarding offenses.

Table 15: Distribution\* of Offenses for Mediation and Non-Mediation Groups

Offense	Mediation Group % (n)	Non-Mediation Group % (n)
Issue Bad Check	22.6 (117)	10.5 (6)
Criminal Mischief	11.0 (57)	7.0 (4)
Assault	10.6 (55)	8.8 (5)
Theft	10.4 (54)	7.0 (4)
Offensive Touch	10.2 (53)	14.0 (8)
Other**	10.0 (52)	12.3 (7)
Disorderly Conduct	6.4 (33)	12.3 (7)
Criminal Trespass	6.0 (31)	5.3 (3)
Shoplift	5.8 (30)	10.5 (6)
Harassment	4.1 (21)	10.5 (6)
Possess Alcohol	2.9 (15)	1.8 (1)
TOTAL	100 (518)	100 (57)

\*There were 8 mediation cases and 2 non-mediation cases for which no offense information was available.

\*\*Other=an aggregation of those offenses that occurred very few times in the population.

We also looked at how each of the offenses was distributed across the offenders who were assigned and not assigned to the mediation groups. That is, we wanted to examine whether certain offenses were more inclined than others to be assigned to mediation (Table 16). We found that there was no statistical difference among the offenses regarding assignment to the mediation and non-mediation groups.

**Table 16: Assigning Offense to Mediation/Non-Mediation Groups**

<b>Offense</b>	<b>Mediation Group % (n)</b>	<b>Non-Mediation Group % (n)</b>	<b>Total % (n)</b>
Issue Bad Check	95.1 (117)	4.9 (6)	100 (123)
Possess Alcohol	93.8 (15)	6.3 (1)	100 (16)
Criminal Mischief	93.4 (57)	6.6 (4)	100 (61)
Theft	93.1 (54)	6.9 (4)	100 (58)
Assault	91.7 (55)	8.3 (5)	100 (60)
Criminal Trespass	91.2 (31)	8.8 (3)	100 (34)
Other*	88.1 (52)	11.9 (7)	100 (59)
Offensive Touch	86.9 (53)	13.1 (8)	100 (61)
Shoplift	83.3 (30)	16.7 (6)	100 (36)
Disorderly Conduct	82.5 (33)	17.5 (7)	100 (40)
Harassment	77.8 (21)	22.2 (6)	100 (27)

\*Other=an aggregation of those offenses that occurred very few times in the population.

**Question 3**

**What were the demographic characteristics of the offenders who complied with and failed to comply with the mediation agreement?**

The next table represents data on the demographics of offenders by age, race, gender, assignment of mediation and case disposition. Overall, 95 percent of youth who were assigned to a mediation completed the mediated agreement. Of the adults who were assigned to a mediation, 93.4 percent successfully completed their mediated settlement. Males had a better success rate than females. A total of 92.5 percent of females assigned to mediation successfully completed while males had an 94.4 percent success rate. Caucasians who were assigned to mediation had a 94 percent success rate, African Americans had a 93.2 percent success rate and Hispanics and Asians had a 100 percent success rate.

**Table 17: Demographic Characteristics of Mediation Participants**

Characteristic	Offender Complied % (n*)	Offender Failed to Comply % (n*)	Open Case % (n*)
<i>Age</i>			
Juvenile (17 years and under)	95.0 (96)	4.0 (4)	1.0 (1)
Adult	93.4 (394)	5.9 (25)	0.7 (3)
<i>Gender</i>			
Female	92.5 (198)	7.0 (15)	0.5 (1)
Male	94.4 (288)	4.6 (14)	1.0 (3)
<i>Race/Ethnicity</i>			
Caucasian	94.0 (312)	5.7 (19)	0.3 (1)
African American	93.2 (165)	5.6 (10)	1.1 (2)
Hispanic or Asian	100 (11)	0	0

\*For each of the demographic categories there were respondents (less than .05%) for whom there was no information; therefore the number of mediation participants within categories does not equal 526.



**Question 4**

**What offenses were committed by those who complied with and did not comply with the mediation agreement?**

The offenses that were committed by the offenders were aggregated into the eleven categories that appear in the Table 18 below. The most numerous offense for the offenders who complied with mediation, accounting for over one-fifth (23.9%) of the total offenses, was issuing of a bad check. Conversely, for the group that failed to comply with the mediation agreement, offensive touching was the most prominent offense (27.6%). The table below shows the comparison between the distribution of offenses for offenders who complied with and did not comply with the mediation agreement. There was a statistical difference (significant at the .004 level) between the two groups regarding offenses.

**Table 18: Distribution of Offenses\* by Mediation Outcome**

<b>Offense</b>	<b>Offender Complied % (n)</b>	<b>Offender Failed to Comply % (n)</b>	<b>Open Case % (n)</b>
Issue Bad Check	23.9 (116)	3.4 (1)	0
Criminal Mischief	10.9 (53)	13.8 (4)	0
Theft	10.5 (51)	6.9 (2)	25.0 (1)
Other**	10.3 (50)	6.9 (2)	0
Assault	10.1 (49)	17.2 (5)	25.0 (1)
Offensive Touch	9.3 (45)	27.6 (8)	0
Disorderly Conduct	6.6 (32)	0	25.0 (1)
Shoplift	6.2 (30)	0	0
Criminal Trespass	5.8 (28)	10.3 (3)	0
Harassment	3.5 (17)	13.8 (4)	0
Possess Alcohol	2.9 (14)	0	25.0 (1)
<b>TOTAL</b>	<b>100 (485)</b>	<b>100 (29)</b>	<b>100 (4)</b>

\*There were 8 cases (of the 526 assigned to mediation) for which there was no offense information.

\*\*Other=an aggregation of those offenses that occurred very few times in the population.

## **Conclusions**

The Community Justice Center victim-offender mediation program has been in operation since 1994.

The program has met its stated impact objectives in that:

1. 85 percent of the victims and offenders reached a mediated agreement;
2. 93.7 percent of all offenders who agreed to participate in mediation successfully completed their mediated agreements;
3. 89.9 percent of all offenders agreed to participate in mediation;
4. 88.9 percent (juveniles) and 83.3 percent (adults) who were referred to the program successfully completed their mediated agreement;
5. 100 percent (juveniles) and 96.2 percent (adults) paid 100 percent of the agreed upon restitution;
6. 92.1 percent of all victims (adult and juvenile cases) were satisfied with the mediation process; and,
7. the median time from referral to mediation was 16 days (juveniles) and 14 days (adults).

Judging by the impact objectives and the program meeting of those objectives: the program was successful.



## **Recommendations**

The Criminal Justice Council makes the following recommendations based on the success of the program.

- ➡ *The victim-offender program be expanded in New Castle County*

The victim-offender program is currently being implemented in Sussex County by the Sussex County Community Justice Center.

- ➡ *A recidivism study to determine if offenders who successfully complete the program recidivate within a period of time.*

This evaluation reviewed the program in regard to how it met its outcome objectives. A future evaluation on offender recidivism post successful completion would add to the assessment of this program.

- ➡ *The victim-offender program should receive continuation funding from state and local agencies.*

The victim-offender program in Sussex County is receiving \$64,000 (DB 98-13) from the CJC. The victim-offender program in Kent County is being funded through other sources.

- ➡ *Future evaluations should conduct a cost/benefits analysis of a program that removes non-violent offenders from the judicial system.*