Returning Justice to the Community: The Indianapolis Juvenile Restorative Justice Experiment

Edmund F. McGarrell
Kathleen Olivares
Kay Crawford
Natalie Kroovand

Hudson Institute
Crime Control Policy Center
June 2000
Returning Justice to the Community:
The Indianapolis Juvenile Restorative Justice Experiment

Edmund F. McGarrell
Kathleen Olivares
Kay Crawford
Natalie Kroovand

Hudson Institute
Crime Control Policy Center
June 2000
Contents

Acknowledgments.................................................................................. vii
Executive Summary ............................................................................... viii

I. Restorative Justice Conferencing ....................................................... 1

II. Why Restorative Justice Conferencing?
   An Overwhelmed Juvenile Justice System ......................................... 5
   Theory................................................................................................. 7
   Accountability and Community Building ......................................... 9
   Potential Benefits and Empirical Support........................................... 10

III. The Development of the Indianapolis Restorative Justice Project
   An Idea Gets Kicked Around.............................................................. 17
   Initial Implementation....................................................................... 20
   Key Players.......................................................................................... 21
   The Attraction of Restorative Justice.................................................. 24
   The Indianapolis RJ Program ............................................................. 25
   Expanding Beyond the Formal Experiment ...................................... 27

IV. Methodology and Findings
   Program Eligibility.............................................................................. 30
   Experimental Design .......................................................................... 31
   Measures............................................................................................. 35
   Stage One Results
      Observations of Conferences .......................................................... 36
      Post-Conference and Post-Diversion Surveys ................................. 42
      Program Completion and Re-Arrest.................................................. 46

V. Summary and Conclusions................................................................. 51

VI. References.......................................................................................... 54
Tables and Figures

Figure 1 Program Completion and Re-Arrest
Figure 2 Restorative Justice Principles
Table 1 Participants in Training
Figure 3 Restorative Justice Project
Table 2 Race Breakdown—Restorative Justice/Control Group Participants
Table 3 Gender Breakdown—Restorative Justice/Control Group Participants
Table 4 Age Breakdown—Restorative Justice/Control Group Participants
Table 5 Diversion Program Breakdown
Table 6 Primary Offense Committed by Restorative Justice/Control Group Participants
Figure 4 Observations of Conference Coordinator
Table 7 Respect Among Conference Participants
Table 8 Defiance Among Conference Participants
Figure 5 Expressions of Shame, Apology, and Acceptance of Offender (based on observations)
Table 9 General Observations of Conference Process
Table 10 Elements of Reparation Agreement
Figure 6 Reported Satisfaction
Figure 7 Reported Involvement, Respect, Problem Solving
Table 11 Perception of the Outcome
Table 12 Completion of Diversion Program
Table 13 Reason for Non-Completion of Diversion Program
Table 14 Contact with Court since the Initial Incident—6 Months
Table 15 Youths Who Have Had Contact with Court after Having Completed Assigned Diversion Program—6 Months
Table 16 Contact with Court since Initial Incident—12 Months
Acknowledgments

The implementation of a project like this requires the support and cooperation of many individuals. Although we will unavoidably omit some key individuals, we would like to extend our appreciation to Indianapolis Police Chiefs Don Christ, Michael Zunk and Jerry Barker, Indianapolis Public Schools Police Chief Jack Martin, Mayor Stephen Goldsmith and Deputy Mayor Susan Brooks, Marion County Prosecutor Scott Newman, Marion County Superior Court, Juvenile Division Judge James Payne, Marion County Sheriff Jack Cottey. Key supporters within the criminal justice system include Jon Daggy, Andy Gillespie, Vince Huber, Peter Mungovan, and Mark Wells (IPD); Tim Montsinger and Greg Stanton (MCSD); Gary Chavers (MCPO); Magistrate Julie Cartmel (MCSC); and Brian Toepp (MC Probation, Juvenile). Of particular assistance have been the intake unit at the Marion County Juvenile Court. Lieutenant Tanya Douglas from IPS and Superintendent Doug Williams and Sharon Wilson from Perry Township Schools have also been instrumental in introducing conferencing in school settings. We are gratified that newly elected Mayor Bart Peterson has expressed support for the continuation of the restorative justice project.

Les Lenkowsky, former president of the Hudson Institute, was instrumental in creating local support for the experiment. The support continues from current president Herb London and vice president Curt Smith. Hudson researchers Michelle Bowen, Lisa De La Torre, and Mistie Morales have played important roles in this project. We also appreciate the support of the Department of Criminal Justice at Indiana University and the university administration for endorsing the partnership between the public educational institution, the Hudson Institute, and local criminal justice agencies.

The research has been generously supported by grants from the Donner Foundation, Lilly Endowment, Smith Richardson Foundation, Indiana Criminal Justice Institute, and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. Points of view expressed in this report are those of the authors and do not necessarily reflect the opinions of these funding agencies.
Executive Summary

This report describes the implementation and the initial results of an experiment on the use of restorative justice conferences as an alternative response to early law breaking by young offenders. Restorative justice conferences bring the offending youth, the victim, and the supporters of both offender and victim together to discuss the incident and the harm brought to the victim and to the group of supporters. Conferences provide the opportunity for victims to explain how they have been harmed and to ask questions of the offending youth. Supporters of both victim and offender have the opportunity to describe how they have been affected by the incident and their concerns about the youth’s behavior. Conferences end with a reparation agreement in which all the participants reach an agreement for how the youth can make amends to the victim and the community.

Advocates of restorative justice conferences point to many potential benefits. Conferences are expected to better address the emotional needs and tangible losses of victims. Youth are held accountable for their misdeeds. Conferences are also intended to provide an opportunity for youths to learn how their offending has negatively affected others. The conferences also provide opportunities to create supportive communities around the offending youths. The Indianapolis experiment offers an opportunity to assess whether these goals are actually achieved.

This report presents the practical and theoretical rationale for restorative justice conferences, describes the development of the Indianapolis project, and presents the initial findings from the first stage of an ongoing experiment. This first stage involved youths ages 14 and younger with no prior court adjudications. It excluded serious and violent offenses. The experimental design used random assignment procedures that provided comparisons between victims, offending youths, and parents involved in conferences and those involved in other court-ordered diversion programs. Among the key findings from this initial phase of the study are the following:

Restorative justice conferences can be successfully implemented in an urban, U.S. setting. Over 80 percent of youths referred to conferences have attended a conference and successfully completed the terms of the reparation agreement. This is significantly higher than for comparable court-ordered programs.

Observations of conferences suggest that they have been implemented according to restorative justice principles. All parties have been included in
conference discussions, individuals are treated with respect, and victims receive apologies and other mutually agreed-to reparation elements.

Over 90 percent of victims participating in conferences reported they were satisfied with how the case was handled. This compared to 68 percent of victims in the control group.

Nearly all the victims (98%) in conferences reported they would recommend this approach to a friend in the same situation. This compared to one-quarter of victims in the control group.

Nearly all the victims (97%) in conferences reported that they were involved in the process and that they had the opportunity to express their views (95%). The comparable figures for control group victims were 38 and 56 percent, respectively.

The interviews indicated that the differences between offending youths participating in conferences and youths in the control group were not as dramatic as was the case for victims. Yet, on the items that reflect the principles of restorative justice conferences, differences did emerge. For example, youths involved in conferences were much more likely to report they were involved in the process (84% compared to 47% in the control group) and that they had the opportunity to express their views (86% compared to 55%).

Youths involved in conferences were much more likely to say they would recommend this approach to a friend than were youths in the control groups (85% compared to 38%).

Similarly, for parents there were fewer differences between those involved in conferences and those in the control group. Yet, on items of involvement (80% compared to 40%) and opportunity to express views (90% compared to 68%), parents in conferences reported more participation.

Victims, youths, and parents involved in conferences were all much more likely to report that the experience had helped solve problems than were those involved in the control group.

Youths participating in conferences were much more likely to have successfully completed the conference and the terms of the reparation agreement (83%) than were youths involved in other court-ordered programs (58%).

For the total sample, youths participating in conferences were significantly less likely to have been re-arrested six-months after the initial incident. The rate of re-arrest was 20 percent for conferenced youths compared to
34 percent for the control group. This represents a 40 percent reduction and is statistically significant.

When limited to those youths who successfully completed the diversion program (conference or control group program), 12 percent of the youths involved in conferences had been re-arrested compared to 23 percent of the control group. This indicates a 46 percent reduction and is statistically significant.

For the total sample, youths participating in conferences were also less likely to relapse twelve months after the initial incident. For youths involved in conferences, 31 percent had been re-arrested. For the control group, the comparable rate of re-arrest was 41 percent. This represents a 25 percent reduction and is statistically significant.

In addition to the formal findings of the research, several points emerge from the experience of observing the implementation of this new program. These points may prove useful to other communities considering restorative justice practices.

Restorative justice principles appear to have broad appeal. For crime control advocates, conferences offer an opportunity to hold youths accountable in a way unlikely to occur in a juvenile court or probation department overwhelmed by huge caseloads. The active involvement of victims and the focus on meeting their needs is also very attractive to the police.
and prosecutors and others who share these goals. For youth advocates and critics of court intervention, the conference offers an alternative to formal court processing and potential legal sanction.

Given this appeal, taking the time for community consultation and planning can assure broad support and meaningful implementation.

When exposed to the principles of restorative justice, creative problem-solvers in police and sheriff’s departments, schools, prosecutor’s offices, youth service agencies, and community groups will adapt the approach to address a variety of conflicts.

For communities considering the involvement of police officers, the early involvement of trusted, streetwise officers has the greatest chance of creating support among rank-and-file officers.

Law enforcement agencies will need to consider whether to implement the program as part of a specialized unit or as part of a department-wide commitment to community policing and problem solving.

The involvement of police officers and sheriff deputies in a conference appears to offer a range of benefits. These include reassurance to victims, symbolic communication to youth offenders that the police take the matter seriously, opportunities for the community to view the police as problem solvers, and opportunities for the police to view youths within their family and neighborhood contexts.

It is unclear, however, on the basis of prior research or the current study whether it is crucial for the law enforcement officer to play the role of conference coordinator or whether the officer can be as effective by acting as a participant in the conference. The second phase of this study plans to assess these issues.
I. Restorative Justice Conferencing

In 1996, Indianapolis became the site of an innovative and potentially pathbreaking response to juvenile crime. The Hudson Institute, a public policy research organization located in Indianapolis, began to work with the police department, sheriff’s department, juvenile court, and prosecutor’s office on a project to use Australian-style restorative justice conferences as an alternative response to juvenile offending.

In a restorative justice conference, the offending youth, the victim, and the supporters of both offender and victim are brought together with a trained facilitator for a conference to discuss the incident and the harm brought to the victim and to the group of supporters. The conference provides an opportunity for the victim to explain how he or she has been harmed and to ask questions of the offending youth. The supporters of the victim and the youth offender are also provided an opportunity to describe how they have been affected by the incident. The conference ends with a reparation agreement in which all the participants decide how the youth can make amends to the victim. This will typically include an apology and often some type of restitution to the victim. Sometimes the group will agree to community service or to other actions by the youth, such as improved school attendance, completion of homework, or chores at home or school.

Advocates of restorative justice conferences point to many potential benefits. Conferences are expected to better address the emotional needs and tangible losses of victims. Youths are held accountable for their misdeeds. Conferences are also intended to provide an opportunity for youths to learn how their offending has negatively affected others. The conferences also provide opportunities to create supportive communities around the offending youths. The Indianapolis experiment offers an opportunity to assess whether these goals are actually achieved.
This report presents the results of the first phase of a multiyear experiment in the use of restorative justice conferences as an alternative response to juvenile crime. We initially review some of the reasons for the growing popularity of restorative justice approaches in the United States and internationally. We then review the theory behind restorative justice conferences and some of the research on conferencing. Next, we turn to the Indianapolis project itself. We begin by presenting the story of the development of the project. Although running the risk of telling a highly idiosyncratic tale, we believe that lessons from this experience may be useful to other communities interested in implementing restorative justice conferences. Finally, we present information about the methodology of the experiment and the initial findings from the study. We refer to these as the Stage One findings because this is an ongoing experiment that will continue to inform about the value of restorative justice for victims, youthful offenders, their families, and communities.

A New Approach to Juvenile Offending

His face grim, he looks around the circle at the others gathered for the restorative justice conference. Thirteen-year-old Jason struggles for words to answer the coordinator’s question—how was he involved in this incident? Quietly he begins his story: he and his friend were on their way back to his house that afternoon, cutting across the shopping center’s parking lot. The car was there, they could see the speakers, and with his friend acting as lookout, he crawled into the car and began pulling out the wires. Next, she (the victim) came out of the office and began yelling at them to stop. Dropping the speaker, he and his friend began running. He knew the sheriff’s officer was knocking on his door and talking to his mother. After the sheriff’s officer asked them some questions, both he and his friend were handcuffed and taken to the juvenile detention center.

What was he thinking about at the time? “Nothing, just that I saw the speakers and wanted them.” The juvenile again struggles with the question of who has been affected by his actions. He tells the group that he was—he had been taken to Juvenile. “What about the owner of the car?” asks the coordinator. “Well, I guess because she got her speakers messed up, she was affected.” Pausing for a moment, Jason then looks over at his mother and whispers that she too has been affected by his behavior in this incident.

The second juvenile, Michael, is then asked about his involvement. Giving his account of the sequence of events, he adds that he wasn’t thinking at the time, because he now knows that he made a big mis-
TO THE COMMUNITY

The person he thinks is most disappointed with him is his little brother, and that’s the worst part of all this—to lose his brother’s trust.

The restorative justice conference coordinator then asks the victim, Rhonda, how she was affected by the boys’ behavior. She said that when she heard two boys were in the parking lot next to her car she ran out to see what was happening. “I saw the one boy in my car holding the speaker—I yelled at him to stop and he dropped it and ran.” When asked what she wants to get from the conference, Rhonda says that she wants to know why the boys were in her car taking her speakers. Although the speakers were reattached and there was no permanent damage to her car, Rhonda says she wants the boys to understand how she feels about this, and asks them how they would feel if someone took their possessions.

Moving around the circle to the supporters of the youths, Mrs. Clark, Jason’s mother, is asked how this incident has affected her. She says that at first she was shocked, that she had a hard time believing that her son would be involved in something like this. She said that he has money from allowance and doesn’t need to steal anything. Michael’s mother, Mrs. Baker, tells the group how disappointed she is that her son took part in stealing. She says that she has always tried to raise her boys to know the difference between right and wrong. She adds that it will take a while before her trust in Michael is restored.

After everyone has had the opportunity to speak, the conference moves to the phase in which a contract is drafted, outlining the steps the boys need to take to make things right again. At that time, the boys are asked if there is anything they would like to say to the victim. Each makes a sincere apology for trying to steal Rhonda’s speakers. Rhonda is asked if there is anything else that she would like to see put into the contract. She says that she believes the boys are remorseful and she thinks they will learn from this mistake. Since the speakers were not damaged, Rhonda says there isn’t a need for any restitution, but that maybe Jason and Michael could do some community service work around their neighborhood. The boys are asked whether they would agree to this and whether they know of anything that needs to be done. Discussion follows on what would be appropriate and the number of hours that would be fair. Everyone in the group joins in, trading ideas or making suggestions. Finally an agreement is reached whereby Jason and Michael will perform 20 hours of service at the Community Center and that they will earn the money needed to pay their court fees. The coordinator writes up the contract and has all the participants sign it.
This puts a formal end to the incident. As they rise to go, Jason and Michael shake hands with everyone in the group. Although they have been held accountable for their behavior in this incident, the two know that people still care about them and have worked to help them learn from their mistake. The victim has had the opportunity to learn why this happened to her and to receive an apology. She now feels that she can put this behind her. The boys’ parents have been able to express how they feel about their sons’ behaviors, have received support from the group, and have helped to point their children back in the right direction.
II. Why Restorative Justice Conferencing?

An Overwhelmed Juvenile Justice System

Since approximately 1993–94, juvenile crime has leveled off and even declined nationwide (Snyder and Sickmund, 1999). Yet the decrease follows a decade of dramatic increases in juvenile crime, particularly in serious juvenile crime. Arrests of juveniles for murder more than doubled from 1984 to over 3,000 in 1994 and 2,500 in 1997. Between 1985 and 1995, the rate of homicide arrests of 14- to 17-year-olds increased from 7.0 per 100,000 to 19.1, a 172 percent increase (Fox, 1996). Juvenile arrests for rape, robbery, aggravated assault, and homicide combined rose from 65,844 in 1984 to 123,400 in 1997. The total number of juvenile arrests was estimated at 2.8 million in 1997 (Snyder and Sickmund, 1999).

Indianapolis has not been immune to these trends. The number of cases filed in the juvenile court has reached unprecedented levels, topping 9,000 per year. Newspaper accounts routinely detail violent juvenile crime. Discussions with juvenile court and prosecution officials indicate that the number of very young juveniles (9 to 12 years of age) coming to the court has increased significantly in recent years.

Thirty years ago a Presidential Commission Report (Lemert, 1967) criticized the nation's juvenile courts for what was labeled the "one-minute hour." The heavy volume of cases was forcing courts to spend approximately one minute on juvenile cases rather than take the time for careful assessment and linkage to services as the juvenile courts were intended to do. Since that time the volume of cases has increased dramatically without a concomitant increase in resources. The rising tide of juvenile arrests has
forced courts into what Lawrence Sherman\(^1\) has described as a “triage” system of conserving scarce resources for the most serious cases. Such cases tend to arrive, however, at the end of a long chain of prior arrests of the same offenders on less serious charges—cases in which the court imposed very limited consequences, in order to conserve resources (Bernard, 1992). Juvenile offenders are often given many “bites of the apple” whereby their cases are dismissed or placed on probation supervision with overworked probation officers until the time they have accumulated a long history of arrests or committed a particularly heinous offense. Critics of the system warn that this fails to hold youths accountable for their offenses and sends the message that the offense was “no big deal.”

The system is also one in which offenders play a largely passive role and victims are typically excluded. Offenders (and often their parents) generally stand by while lawyers do the talking. Offenders spend little time in the spotlight, and victims almost never get an opportunity to describe the harmful consequences of the offenders’ actions. The reasons that someone has for committing a crime are unimportant, and restitution to victims and the community affected by the crime is not a primary concern (Van Ness, 1996). Community service is sometimes used as reparation, but often the service is done for someone who was not directly affected by the crime (Van Ness, 1996).

The lack of an effective ritual for condemning the moral evil of the criminal act is part of what Australian criminologist John Braithwaite (1989: 61) calls the systematic “uncoupling of shame and punishment” in Western society. When crime is handled in juvenile court, without the active involvement of victims and community members, the opportunity to bring community shame and disrespect upon the criminal behavior is significantly circumscribed. The net result is that informal social control over juvenile offending has been weakened (Bursik and Grasmick, 1993). Responsibility for juvenile offending has been removed from the community and ceded to overwhelmed professionals operating in centralized locations in isolation from the neighborhood where the offending occurred (e.g., Kotlowitz, 1991). The restorative justice approach is an attempt to respond to the current state of affairs. It is an approach that seeks to build a community of concern around the offending youth, the victim, and the family, friends, and supporters of both offending youth and victim, and to employ the moral force of that community to prevent further offending.

---

\(^1\) The lead author and Professor Sherman collaborated on a grant proposal in the early stages of this project. Sherman’s thinking is undoubtedly reflected in this document.
A Shifting Paradigm

Today, most people view crime in legalistic terms. Someone who breaks the law must pay consequences determined by government-run courts. However, there seems to be a movement toward a shift in the paradigm (Van Ness, 1996). Although many crimes do need state attention through the formal courts, many offenses may be addressed by the participants in the crime working in collaboration with their community. This has led to the search for a model geared more toward the victims and the community directly affected by a crime, one that incorporates reintegrative shaming. That model is the restorative justice model.

Theory

Restorative justice conferencing draws support from several criminological theories. Among these are control and deterrence theory and John Braithwaite’s (1989) theory of reintegrative shaming.

Control and Deterrence Theory

Control theorists take the motivation to offend as a given and ask the question, “Why do most people obey the law?” (e.g., Hirschi, 1969). The answer they provide is that most people are socialized to believe in the moral legitimacy of the law and choose not to violate the law because of the potential costs they would face in terms of their relationships to others and in terms of their conventional opportunities. That is, to the extent that individuals believe in the moral legitimacy of the law and have strong bonds to family and conventional institutions, they are “controlled” and will not offend. In contrast, to the extent that individuals do not hold beliefs about the legitimacy of the law and are not concerned about disapproval from family or the loss of opportunities due to offending, they feel more free to satisfy desires through force or fraud.

Deterrence theorists argue that crime is the result of an offender’s calculus that the benefits from the offense outweigh the likely costs that may be incurred (Beccaria, 1963; Cornish and Clarke, 1986). Juveniles who perceive a low likelihood of detection and/or a low likelihood of punishment if caught are most likely to engage in criminal behavior.

The overloaded juvenile justice system is subject to criticism from both control and deterrence theorists. As noted above, the heavy volume of cases forces the court to quickly dispose of all but the most serious crimes or repetitive offending. This reduces the consequences of the offending
behavior and raises questions about the legitimacy of the law. Not only is there a lack of punishment in the conventional sense of court-imposed sanctions, but the exclusion of victims and the handling of the case by attorneys precludes the opportunity for youths to learn directly about the harm they have caused.

Reintegrative Shaming

Australian criminologist John Braithwaite (1989) answers the question “Why do most people obey the law most of the time?” by arguing that people are generally deterred from committing crime by two informal methods of social control. First, by their fear of social disapproval and second, by their conscience. Braithwaite posits that punishment or reparations imposed by parents, other relatives, friends, or other individuals important to the offender are more effective than those imposed by a legal institution. For most people, fear of being shamed by those they care about is the major deterrent to committing crime. This is because the opinions of family and friends mean more than that of an unknown criminal justice authority. Also, individuals who are closest to a young offender are most able to instill a sense of shame about offending behavior (Braithwaite, 1989).

Shaming occurs in many ways, shapes, and forms. It can be as subtle as a “look” from a parent or friend or as direct as a verbal confrontation. It can be published in a newspaper or passed along as gossip among friends. It can be formal, such as the branding of a criminal or the wearing of a dunce cap. What is very evident about shaming is that it is culturally specific.

Braithwaite links these control and deterrence notions to the idea of stigmatization by distinguishing between two main types of shaming: disintegrative shaming and reintegrative shaming. Disintegrative shaming is disrespectful shaming that acts to outcast the individual from his or her community. This type of response to offending has the potential to break the social bonds with conventional others and thus further weaken social bonds.

In contrast, reintegrative shaming involves a conscious effort to shame the action of the offender but not the offender as a person. Disapproval is expressed with regard to the act, not the person. A level of respect is maintained toward the offender. The key to effective shaming is to hate the sin but not the sinner. According to reintegrative shaming theorists, this combination of accountability and respect is key to keeping the offender within the community (Braithwaite, 1993).
Restorative justice conferences, sometimes referred to as family group or community accountability conferences, are an attempt to respond to criminal behavior in a way that holds the offender accountable and ensures that costs are incurred while at the same time seeking to establish or strengthen bonds to conventional others. They also have the important objective of better addressing the needs of victims of crime.

The Maori people of New Zealand have used a form of restorative justice conferencing for hundreds of years. Other indigenous populations across the world, including the United States and Canada, have also used similar approaches. The ritual involves bringing together the extended family and friends along with the victims of the youth’s behavior in search of a resolution to the problem that would satisfy all involved.

In 1989, New Zealand passed the Children, Young Persons and Their Families Act that made family group conferences an official option for the police when dealing with youthful offenders. Soon afterward, family group conferences spread to Australia and to the United States. Legislation supporting restorative justice practices and family group conferences has been enacted in South Australia (1993), West Australia (1994), and New South Wales (1997) (Paye, 1999).

Even though there are several different models of restorative justice conferencing, there is a set of values and assumptions that are fundamental to conferences.

(1) Respect for the integrity of the family unit, which includes extended family members. Participants must concentrate on strengthening the family and its community supports.

(2) Power must be bestowed upon everyone in the family, and parents must have an opportunity to feel responsible for their children and themselves.

(3) Family group conferences must be culturally sensitive and respectful to the involved families.

(4) Victims must be provided the opportunity to be involved in the process and receive whatever is necessary to repair the harm done unto them (Hudson, Galaway, Morris, & Maxwell, 1994).
Potential Benefits and Empirical Support

The Australian and New Zealand experience with restorative justice conferences suggests a number of potential advantages (Braithwaite, 1989; Consedine, 1995; Moore, 1995). Given the initial experience in Australia and New Zealand, conferencing has grown increasingly popular in North America and Europe. Countries reported to be using conferencing include Singapore, the United Kingdom, Ireland, South Africa, Sweden, and Canada. Within the United States communities in Florida, Maine, Minnesota, Montana, New Mexico, Pennsylvania, Vermont, and Virginia are known to be using conferences. Hawaii has recently implemented the conferencing model for use within public housing. In New Zealand and several jurisdictions of Australia, Canada, and Thames Valley (Great Britain), conferences are now the normal practice for most juvenile cases (Thames Valley Police, 1999). Although definitive studies are not available, the existing research does begin to provide support for the claims made by proponents of restorative justice conferencing. The following are some of those who may benefit from the restorative justice conferences.

Victims

Despite increased attention to the needs of victims in the justice system, victims often remain the hidden participants in criminal and juvenile courts. This is particularly true in the often-closed juvenile court system, though victims of juvenile crime are no less harmed when the perpetrator happens to be a youth. The often quick and confusing juvenile hearing may leave victims confused, powerless, and frustrated when the offender seems to have “gotten away with it.” The restorative justice conference restores the victim to equal standing in the proceedings. The victim and his or her supporters are provided an opportunity to express their sense of violation and harm, to question the offender, and to learn about the incident. As Consedine (1995: 162) states, the conference allows the victim to “put a human face and history on the crime.” The victims are also key actors in the decision-making process on how the offender can make amends for the harm caused. Finally, victims may benefit directly from restitution should the parties to the conference agree that it is warranted.

The available research suggests that restorative justice conferences are extremely popular with victims. Many studies find over 90 percent of victims expressing satisfaction with the conference and stating they would rec-
ommend it to other victims (e.g., McCold and Wachtel, 1998; Thames Valley Police, 1999). Fercello and Umbreit’s (1998) research on conferencing in Minnesota found that 90 percent of victims felt the offender was held adequately accountable. The Reintegrative Shaming Conference in Australia (RISE) experiment has found that 89 percent of victims received an apology or restitution following a conference. This compared to 14 percent of victims where cases went to court (Strang et al., 1999). Similarly, results of the Bethlehem, Pennsylvania, study show that 95 percent of conferenced offenders report apologizing to their victim (McCold and Wachtel, 1998).

Better Addressing the Needs of Victims

His attitude walked into the room just ahead of the 17-year-old boy. In setting up the conference, the coordinator had talked with him about the purpose of their meeting and he had admitted to breaking into his neighbor’s car and taking the tape player and several other items. He agreed to participate in the conference and indicated a willingness to make amends. As Jason was being seated in the circle, however, the others sensed that the conference might not go as expected. Sue, the car’s owner, wanted to proceed with the conference. When asked about the incident by the coordinator, Jason seemed to skirt the issue of his responsibility for the harm and he did not appreciate the fact that so many people had attended the conference to help give him a second chance. When it was Sue’s turn to speak, she told the group how she felt when she discovered that her car had been broken into and her personal property taken. She looked right at Jason and asked him why he had picked her car, after all she thought they had been friends. Sue went on to explain how this incident had affected the way she felt about her safety and the neighborhood. Gary, who was attending the conference as one of Sue’s supporters, told the group how he had seen Jason’s behavior affecting his friend. Another neighbor explained how she had always trusted Jason—in fact, he had worked in their yard with her husband—and now her trust in him had been broken. She wasn’t sure how she felt about Jason at this point. Jason’s mom explained that she hadn’t raised her son to steal from other people, but was unsure how to go about getting him to change. A contract was written, with Jason agreeing to pay for the damage to the car and to replace Sue’s personal items. After Jason left the conference, Sue was uncertain that she would actually see the restitution payment, but she assured her friends and the conference coordinator that the effort had been worth it to her. The most important thing was the opportunity to tell Jason face-to-face how he had hurt her—how he had destroyed the trust that she had in him, disrupted her sense of safety, and just generally made her life miserable for a while.
Offenders

Estimates are that 30 to 40 percent of males in urban cities in the United States will be arrested prior to their eighteenth birthday (Greenwood, 1995). For juveniles who are arrested five or six times, the odds are overwhelming that they will be arrested again and that many will fall into the category of chronic offender (Wolfgang, Figlio, and Sellin, 1972). Particularly for young offenders (e.g., ages 10–14), the likelihood of re-appearance in court is very high. Indeed, for youths ages 10–12, a second appearance in court translates into an 80 percent likelihood of a future court referral (Snyder and Sickmund, 1995: 158). As noted above, however, in most urban juvenile courts the reality is that, absent a particularly serious offense, juvenile offenders are likely to have their cases dismissed or to be placed on probation until a substantial prior record has accumulated. Critics of the juvenile court believe that the failure to intervene in a meaningful way early in the youth’s offense history fails to express community outrage and sends mixed messages about the behavior to the offending youth.

One proposal for addressing this issue is to “get tougher” on juvenile crime. Given the already overcrowded nature of the juvenile courts and correctional systems, it is unlikely that these proposals would touch the majority of juvenile offenders who have not committed violent and/or repetitive offenses. Further, some believe that get-tough approaches may actually be counterproductive. They risk the potential unintended effect of pushing youths into delinquent subcultures (Braithwaite, 1989) or into acts of defiance (Sherman, 1993).

Restorative justice conferences, in contrast, offer the opportunity for the victim, the offender’s family, and community members to unequivocally express their sense of concern and outrage over the offender’s actions. Further, the offender can learn of the harm experienced by the victim and the sense of shame experienced by his or her own family. These lessons make it difficult to deny the harm caused or the legitimacy of the victim, as prior research has indicated juvenile offenders are prone to do (Matza, 1964). Further, this type of “active-learning” may be much more effective in “conscience-formation” than a relatively brief encounter with a lecturing judge. Also, the Bethlehem study reports that conferenced offenders had “substantially more positive attitudes toward their victims than offenders who went through formal adjudication.” These perceptions, along with comments from the offenders, “confirmed the reintegrative quality of the conferences” (McCold and Wachtel, 1998: 64).

In addition to changing the offender’s feelings toward the victim, the restorative justice conferences also seem to affect the offender’s perception
of the police. In three of the four categories of offense in the RISE experiment, conferenced offenders were significantly more likely to agree that “The police were fair at the treatment,” than were court-adjudicated offenders (Strang et al., 1999). In the fourth category of offense, the difference approached significance.

Through the restorative justice conference, the offender is provided the opportunity to apologize to the victim, and to formally make reparation to the victim and the community. The conference also involves the ritual of being accepted back into the community (as opposed to the initiation into delinquent subcultures in the detention center, training school, or street gang). Like the victim, the offender is an active participant in the process of restoring justice, unlike the passive recipient of punishment, treatment, or dismissal in juvenile court.

The first major published evaluation of Australian-style restorative justice conferences is Moore’s study of the process in Wagga Wagga, Australia. Moore employed a pre-/post evaluation design and found that referrals to juvenile court were reduced from 51 percent of cases to 28 percent following the adoption of conferences. The recidivism rate of juveniles participating in conferences was 6 percent (Moore and O’Connell, 1994: 71). Although this figure is impressive, it must be interpreted cautiously because there was no control group.

A recent report by the Thames Valley Police (1999) reviews the available research on the re-offending rates of youths participating in a conference. In Aylesbury, 17 percent of the 175 youths attending a conference reoffended. This compared to 30 percent of the youths whose cases were handled under the typical “cautioning” practice. In Sparwood, British Columbia, re-offending rates for youths attending conferences were 8.3 percent in 1996 and 2.9 percent in 1997. Although there was no control group and the results must be treated cautiously, the national average of reoffending by youths handled by traditional methods is estimated at 40 percent. In Wagga Wagga, New South Wales, Australia, the re-offending rate for conferenced youths was 20 percent compared to 48 percent for youths going to court. Finally, the Thames Valley Report indicates that in Singapore the first 63 conferences produced a re-offending rate of 2 percent. This compared to 30 percent for cases going to court. Additionally, the research from both Australia and British Columbia suggests a very high level of offender compliance (+90%) with the terms of the reparation agreement. In the Bethlehem (Pennsylvania) study, conferences had their most significant effect on violent youth crime as opposed to property youth crime (McCold and Wachtel, 1998).
With several exceptions (e.g., McCold and Wachtel, 1998; Strang et al., 1999) the above research did not employ controlled experimental conditions and thus must be interpreted cautiously. The results are, however, in a positive direction and point to the need for additional careful research.

Offenders’ Parents

Parents, guardians, or other supporters of the offending youth become integral actors in the restorative justice conference. For the parent at wit’s end in terms of dealing with a child involved in criminal activity, the conference offers a community of support, an extended social control network, that may be able to effect a more meaningful response to the misbehavior. For parents unwilling to take responsibility for their child’s behavior, the conference allows for the expression of community concern that may instigate more effective parental control.

Although the research on the effects of conferences on parents and families is limited, there is some evidence of conferences having the hypothesized positive effect. McCold and Wachtel’s (1998) study of conferencing in Bethlehem found that nearly 90 percent of youths believed their family had a better opinion of them after the conference and the same percent of parents reported improved opinions of their child following the conference.

Community Building and Community Policing

Research has consistently demonstrated the variation from community to community in rates of crime generally, and juvenile crime in particular (Bursik and Grasmick, 1993; Sampson and Lauritsen, 1994; Shaw and McKay, 1942). Summarizing contemporary research on neighborhood rates of crime, Sampson (1995: 201) writes that “communities characterized by (a) anonymity and sparse acquaintance networks among residents, (b) unsupervised teenage peer groups and attenuated control of public space, and (c) a weak organizational base and low social participation in local activities face an increased risk of crime and violence.” Traditional juvenile court processing does little to address these community dimensions. The restorative justice conference, in contrast, offers opportunities for community building that go beyond the specific offense.

By involving not only the offender and the victim, but also their supporters, community members become active participants in formulating responses to the neighborhood crime problem. Thus, the conference may be seen as creating (potentially) social ties and investing in social capital. This type of involvement is consistent with Sampson’s (1995: 216) reminder that “ultimately, however, much of this investment must come from com-
munities themselves—that is, residents must maintain social order.”

The reparation agreement may also be seen in the context of community building. Community service is often a component of the conference agreement. Community service involving street cleaning, painting over graffiti, and the like not only provides a concrete mechanism for the offender to make amends but also may contribute to the quality of life in the community.

An additional benefit is that restorative justice conferences offer a concrete vehicle for making community policing “real.” Research on community policing indicates that while many officers endorse the notion of community policing, there is confusion over how to actually make this philosophy a viable part of the police department and the community (Thurman and McGarrell, 1997). Restorative justice conferences facilitated by police officers provide a clear opportunity for officers to work in collaboration with the community in developing proactive, preventive strategies for addressing problems of juvenile crime. They also provide mechanisms for community members to see and work with officers in a positive light. In other words, the restorative justice conference program is community policing.

The RISE study suggests that conferences facilitated by police officers significantly increase participants’ opinions of the police (Strang et al., 1999).

The Importance of Including Those Affected by the Incident

David was arrested for vandalizing the bathroom of his school with considerable damage. During the conference David was quiet and seemed quite unrepentant. The conference appeared to be dragging without much progress. Finally, David spoke up and said that the reason he was so mad was because the teacher had not only taken away his bag of potato chips but also then had the nerve to eat the chips in front of the class. David took this as the teacher’s attempt to humiliate him. The teacher then explained that she had taken a chip from her own lunch but that David’s chips remained unopened in her desk. She explained that while it was appropriate for her to take the chips away from a student during class, she would never then open the bag and eat them herself. David’s demeanor changed immediately, and the atmosphere in the conference shifted significantly. The group was then able to move forward to a successful reparation agreement.

Without the active involvement of the key parties, it seems unlikely that the source of David’s anger would have been discovered. Although he may have been held accountable in another forum, it seems likely that he would have remained bitter and felt that he was treated unfair-
ly, first by the teacher in the initial incident and then for the damage he had caused. By the inclusion of the youth and teacher, and the opportunity for dialogue, the youth gained insight into the teacher’s actions, the group came to understand David’s behavior, and the youth had the opportunity to make amends to those harmed by his actions.
III.
The Development of the Indianapolis Restorative Justice Project

An Idea Gets Kicked Around

In 1995, Larry Sherman, formerly professor at the University of Maryland and now at the University of Pennsylvania, was working in Indianapolis as an adviser to the police department. The Hudson Institute, a locally based research organization, asked Sherman, to give a downtown briefing on the topic of juvenile crime. The briefing was attended by the mayor, the chief of police, the presiding juvenile court judge, the county prosecutor, and other community leaders. When the discussion turned to more-effective approaches to juvenile crime, Sherman described a new program being used in Australia and New Zealand described as restorative justice or family group conferencing. The attendees were intrigued by the elements of the restorative justice approach, including victim involvement, offender accountability, and early intervention.

Sherman generated sufficient enthusiasm in the police department that two officers were sent to attend a training to prepare people to serve as facilitators of conferences. The training was conducted by a youth service group in Pennsylvania known as REAL Justice. REAL Justice officials had spent time studying conferencing in Australia and invited Australian police officers and school officials to Pennsylvania to participate in the training.

The officers chosen were Sergeant Pete Mungovan and Officer Jon Daggy. Both officers described how they had little idea what they were getting into. Hearing the term family group conferencing they wondered why they were being sent. “We aren’t ‘family counselors,’” was Sergeant Mungovan’s reaction. Daggy later recalled that he figured a few days in Pennsylvania meeting and sharing experiences with the Australian “coppers” would be okay.
The officers were selected by Sergeant Andy Gillespie. Gillespie wanted officers who were known to be problem solvers but who were also well respected by their fellow officers. Mungovan and Daggy were ideal choices, as they were known as good street officers. This turned out to be a key to the later acceptance of the program in the department.

Also attending the Sherman luncheon briefing was Leslie Lenkowsky, then president of the Hudson Institute. Lenkowsky was quite interested in the restorative justice concept as it seemed to offer an approach to juvenile crime built on principles for restoring civil society, a topic Lenkowsky had long been studying. With Sherman preparing to return to Maryland, Lenkowsky and Sherman began discussions with Indiana University criminologist Ed McGarrell. McGarrell, formerly the director of the Washington State Institute for Community Policing, had seen restorative justice conferencing as being a concrete way for making community policing “real” in responding to juvenile crime. McGarrell and Sherman had been discussing these ideas, and Sherman brought the three together to discuss the formation of the Crime Control Policy Center that would conduct policy-oriented crime research. The Center’s centerpiece would be a major study of restorative justice conferencing.

The Center was created in 1996 with the first year’s activities focused on consultation and fund-raising. A series of briefings were held over the course of the year. These included formal presentations on the restorative justice approach as well as smaller group meetings with both policy-makers and individuals who would be key to implementation. In all these meetings, Hudson’s focus was on collaborating with the criminal and juvenile justice agencies on the development of a program to meet local needs. Although Hudson researchers presented the ideas and the research on restorative justice, there was no formal model to sell to or impose on the local officials.

Crucial to the success of the project was a series of meetings involving the juvenile court judge, the county prosecutor, chief of police, sheriff, and the mayor. Here the group shared their concerns about the approach, discussed how the project could be implemented in a manner conducive to rigorous evaluation, and agreed to case criteria and procedures. A consensus emerged that the project should start relatively small, focus on early intervention, and include a true experimental design with random assignment of cases.

One minor, though perhaps symbolically important, point was addressed in these meetings. What should the project be called? Family group conferencing was the term most often used in Australia and New Zealand. Community accountability conference was another suggestion. The group of policy-makers, however, preferred the term restorative justice conferences.
The term suggested to the group notions of holding the offender accountable, restoring or making things right to victims, and reintegrating the offender to the community once amends had been made.\(^2\)

**Figure 2**

**Restorative Justice Principles**

- **Offender Accountability**
- **Community Reintegration**
- **Victim Involvement**

In announcing the program, Mayor Stephen Goldsmith, known for his support for public-private partnerships, stated: “All too often the criminal justice system allows first-time offenders to go unpunished and not be held accountable for their actions. That’s not the right message we need to send and it’s certainly not any deterrent to future crime. Hudson’s Juvenile Restorative Conference concept will help turn that around.” County Prosecutor Scott Newman added, “The conferences fill a void in the current juvenile justice system by forcing young offenders to become accountable for their actions. These conferences are by no means an easy way out. Confronting a victim, accepting responsibility for one’s actions, and making restitution allow young offenders a chance to develop into law-abiding teenagers and adults.”

The corollary step was to secure funding for the project. The city is fortunate to have the Lilly Endowment located in Indianapolis. The Endowment regularly supports innovative efforts to assist community life. Endowment leaders were invited to attend one of the briefings on juvenile crime and restorative justice, and they invited Hudson to submit a proposal. The Endowment subsequently decided to fund a three-year experiment on the use of restorative justice conferences as a response to juvenile crime. At the same time, funding was received from the Donner Foundation and the Office of Juvenile Justice and Delinquency Prevention to support the project.

\(^2\) These principles reflect the balanced and restorative justice approach (see Bazemore and Umbreit, 1994; Office of Juvenile Justice and Delinquency Prevention, 1998).
Initial Implementation

Early Conferences

During 1996 and most of 1997, Sergeant Mungovan and Officer Daggy were the only individuals conducting conferences. They had entered into an informal agreement with the juvenile court whereby they could exercise their discretion to conduct a conference as an alternative to arrest for relatively minor offenses. Mungovan and Daggy conducted a number of these conferences when they encountered youthful offending in the course of their patrol duties.

With funding secured, attention turned to training individuals to conduct restorative justice (RJ) conferences. Hudson worked with REAL Justice to provide a series of training sessions. These involved two-day sessions. The initial trainings occurred in April, September, and October 1997 with additional sessions in 1998 and 1999. More than 200 individuals were trained in these sessions. Although the vast majority were from Marion County (Indianapolis), individuals from throughout the state and surrounding states also attended.

Table 1
Participants in Training

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement (N=97)</td>
<td></td>
</tr>
<tr>
<td>Indianapolis Police Department</td>
<td>44</td>
</tr>
<tr>
<td>Marion County Sheriff Department</td>
<td>12</td>
</tr>
<tr>
<td>Indianapolis Public Schools Police Department</td>
<td>28</td>
</tr>
<tr>
<td>Butler University Police Department</td>
<td>5</td>
</tr>
<tr>
<td>Other police agencies</td>
<td>8</td>
</tr>
<tr>
<td>Other Criminal Justice Agencies (N=31)</td>
<td></td>
</tr>
<tr>
<td>Marion County Prosecutor’s Office</td>
<td>8</td>
</tr>
<tr>
<td>Marion County Superior Court, Juvenile Division</td>
<td>2</td>
</tr>
<tr>
<td>Other court</td>
<td>3</td>
</tr>
<tr>
<td>Probation departments</td>
<td>7</td>
</tr>
<tr>
<td>Community corrections</td>
<td>7</td>
</tr>
<tr>
<td>Indiana Department of Correction</td>
<td>4</td>
</tr>
<tr>
<td>Youth Service Agencies</td>
<td>36</td>
</tr>
<tr>
<td>Schools</td>
<td>28</td>
</tr>
<tr>
<td>Office of the Mayor</td>
<td>1</td>
</tr>
<tr>
<td>Hudson Institute</td>
<td>13</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
</tr>
</tbody>
</table>
One key feature of the training was the involvement of Sergeant Mungovan and Officer Daggy as trainers. The officers provided credibility, particularly when discussing the conferences they had conducted, that appeared to overcome the skepticism of many officers and other professionals who often view such programs as the latest “flavor of the month.” Hudson staff also offered to arrange for participants to observe a conference if they were uncomfortable with facilitating. A number have taken up this offer. Our experience has been that virtually everyone who observes a conference comes away impressed with the seriousness and meaning of the conference process.

**Key Players**

**Juvenile Court**

Obviously, a program like this must have the support of the juvenile court to succeed. Judge James Payne, who presides over juvenile court, was an early supporter of the RJ approach. Payne, known for developing innovative programs as alternatives to court, had seen his court’s caseload explode over the previous 10–15 years. Indeed, the caseload had increased from around 5,000 cases in the early 1990s to 7,000 in the mid-1990s and over 9,000 by the end of the decade. The increase in caseload was not accompanied with a corresponding increase in resources. The judge saw RJ conferences as offering a meaningful response to early offending without a significant drain on court resources.

Within juvenile court, the intake officers also became a key group. The intake officers are responsible for diverting youths who have been arrested from juvenile court. Since the initial implementation was to be a diversion from court processing, the intake officers became crucial for implementation of the program. Faced with a large caseload, the danger was that the intake officers would view the program as an additional burden and refuse to follow the randomization protocol. With the judge’s support, the research team conducted a number of presentations to the intake officers. The briefings described the RJ approach, the rationale for random assignment, and then asked the intake officers for their suggestions on how best to implement the random assignment procedures. The intake team offered suggestions for how the project could simplify their work, and since that time the intake officers have been extremely cooperative with the research team.
Prosecutor’s Office

Scott Newman, Marion County Prosecutor, has also developed a reputation for innovation. For example, under Newman the neighborhood- or community-based prosecutor’s program has generated national attention. The prosecutor was also drawn to the element of accountability for early offenders and to the goal of better addressing victim needs. His concern was the criteria for inclusion in the program. He believed that the program should start with less-serious cases, then if supported by research, progress to a broader range of offenses and prior records. He was also concerned with monitoring compliance with conference agreements.

In addition to Prosecutor Newman, other key actors from the office included the lead juvenile prosecutor and the neighborhood prosecutors. All shared Newman’s enthusiasm, attended the trainings, and have assisted in implementation and extension of the program (discussed in subsequent sections).

Indianapolis Police Department

Like their counterparts in the court and prosecutor’s office, former chiefs Don Christ and Michael Zunk were very supportive of the restorative justice approach. Christ approved the initial trainings and Zunk made a roll-call video explaining the RJ program and encouraging officers to support the program. For the department, the key question concerned the appropriate role of officers in the conferences. Should the department follow the lead of Wagga Wagga, Australia, where officers actually facilitate the conferences? Or should IPD follow departments like Adelaide, Australia, where officers participate in conferences but civilians arrange and conduct the conferences? Both chiefs found themselves torn between the desire to have officers facilitate conferences as part of the department’s community policing mission and the reality of the constraints imposed on an urban police department as it attempts to keep adequate numbers of officers on patrol responding to calls for service.

A related concern for the chiefs was whether to implement the program throughout the department or whether to locate it as part of a special unit. To date, the program has been administered throughout the department. Officers trained as facilitators were drawn from many units across the department. Participation as a facilitator is a matter to be addressed by the officer and his or her supervisor.
Marion County Sheriff’s Department

Sheriff Jack Cottey was drawn to the RJ conferences because they seemed to fit his goals of enhanced crime prevention and addressing victim needs. Cottey placed responsibility for the program in the department’s victim advocates office. Additionally, a small cadre of officers were trained and made available to be called on by the victim advocate to facilitate conferences.

Office of the Mayor

As noted earlier, Mayor Goldsmith saw the RJ program as providing enhanced accountability for juvenile offenders. The program also fit into his efforts to revitalize crime-ridden neighborhoods (Goldsmith, 1998). Further, RJ’s involvement of the community in responding to social problems fit with the mayor’s innovations in reinventing local government.

The mayor and chief of police had involved Hudson’s Crime Center in a number of efforts related to crime analysis and program evaluation. Thus, trust relationships between the mayor, the police department, and Hudson Institute were already established. In terms of implementing RJ, the mayor’s office then played a key role early on by convening meetings of the key policy-makers. The legitimacy conveyed by the mayor’s support, coupled with the congruence between restorative justice principles and the values and goals of the key policy-makers, engendered enthusiasm for the project and a high degree of cooperation across agencies.

Youth Service Providers

The briefings also included a number of youth service providers from agencies involved in a variety of programs. This provided the opportunities to elicit support for the RJ program and to learn from experts in youth services.

Schools

The initial thought in inviting educators to the training was to secure cooperation for using schools as sites for holding conferences. The Hudson Institute team hoped that conferences would occur in the neighborhoods where victims and offenders live, and schools offered a potential meeting venue. As will be discussed subsequently, however, the school officials participating in the trainings soon saw the potential of conferences as a supplement to existing disciplinary procedures. Participants included administrators, social workers, teachers, and school police and security officers.
Neighborhood Groups

The Hudson team also worked with the mayor’s office to involve a number of neighborhood leaders. These groups uniformly expressed concerns with juvenile crime and enthusiasm for RJ as an alternative response to juvenile crime. The neighborhood groups played several key roles including providing sites for conferences (e.g., community centers, libraries) and opportunities for youths to perform community service when such service was an element in a reparation agreement.

The Attraction of Restorative Justice

Criminal and juvenile justice policy is an inherently ideological arena. The very nature of an adversarial justice system generates a defense-prosecution, treatment-enforcement fissure. From a slightly different angle, many crime policy debates and legal battles can be framed as a competition between crime control and due process perspectives (Packer, 1968). Similarly, those working within the system are often skeptical about the understanding of outsiders, including so-called Ivory Tower experts. Thus, anytime a new program is suggested for consideration, the natural tendency is to frame the proposal according to the ideological camps. In such a policy arena, the cooperation necessary for meaningful implementation is often difficult to achieve.

The RJ approach seems to have the potential to avoid becoming mired in the ideological morass. For crime control advocates, the conference offers an opportunity to hold youths accountable in a way unlikely to occur in a juvenile court or probation department overwhelmed by huge caseloads. The active involvement of victims and the focus on meeting their needs is also very attractive to the police and prosecutors and others who share these goals. For youth advocates and critics of court intervention, the conference offers an alternative to formal court processing and potential legal sanction.

Additionally, the experience in Indianapolis suggests that nearly everyone shares a concern with the growth in juvenile crime and violence over the last few decades. Further, nearly everyone recognizes the shortcomings and limitations of current approaches to juvenile crime. Given this shared understanding, and the components of the restorative justice approach that appeal across ideological barriers (accountability, victim needs, community building, and reintegration), support for this effort has continued to build as more people have learned about it.

3 Scholars have raised issues about restorative justice (see, for example, Levrant et al., 1999).
The Indianapolis RJ Program

The Indianapolis Restorative Justice Conference Project is currently being implemented as a diversion program within the Marion Superior Court, Juvenile Division. Cases are assigned to the Restorative Justice Conference Project based upon criteria agreed upon by the Chief Judge of the Juvenile Division and the Marion County Prosecutor. In establishing criteria for the experimental program, the first priority of the judge and the prosecutor was to focus on very young first-time offenders. The goal was to break into the cycle of offending before it reached the stage of repeat offending. The judge and prosecutor were familiar with research indicating that youths entering court at early ages were at high risk of repeat offending (e.g., Snyder and Sickmund, 1995). They had also witnessed an increase in offending by very young youths. Finally, they wanted to distinguish first-time appearances in court by very young offenders from first-time appearances by older youths (15–17 years of age) who are at lower risk of re-offending.

Consequently, the initial implementation of the Indianapolis RJ experiment used criteria whereby first-time offenders, 14 years of age and younger, are eligible for participating in a RJ conference. The eligible charges include battery (assault), trespass, mischief, conversion, and felony D theft.

Once a case is assigned to a RJ conference, contact is made between the juvenile offender and his or her parent and a conference coordinator. The coordinator assesses the willingness of the juvenile and parent to participate in a conference, including the admission of responsibility in the incident, and then contacts the victim. A conference is then scheduled to bring all the parties to the incident together to discuss what happened. In addition to the involvement of youth and victim, both parties are encouraged to identify a group of supporters to participate in the conference. This will typically involve parents and guardians, siblings, grandparents and other relatives, friends and neighbors. Conferences have included teachers, athletic coaches, and other important figures in the youth’s life.

During a conference, the coordinator guides the juvenile through a series of questions to help the group understand what happened. Questions such as how the youth was involved, what the youth was thinking about at the time, and whom the youth thinks the offending behavior has affected are intended to help the youth accept responsibility for the behavior. They also help the youth understand how the behavior has rippled out to affect the victim, families, and the community. The victim is then asked how he or

---

4 RJ conferences are not fact-finding hearings. Youth denying guilt should have their cases proceed to court. Additionally, if a conference in which a youth fails to take responsibility for the offense runs the risk of re-victimizing the victim. Consequently, it is important that the conference coordinator talk with the offender prior to the conference.
she was affected by the incident—what harm was sustained—physically, emotionally, or financially and what he or she would like to see come from the conference. This is the opportunity for the victim to ask specific questions of the juvenile. For example, why me? It is also an opportunity for the victim to actively participate in the justice process. Supporters of the victim and of the offending juvenile are then given the opportunity to express how the incident has affected them.

Once everyone in the group has had the opportunity to speak, the group then begins the task of working out an agreement for the juvenile to follow to repair the harm that was caused. The juvenile is asked if there is anything he or she would like to say to the victim and to the supporters. It is at this point that the juvenile usually will apologize to the victim and the group—taking responsibility for the behavior that caused the harm. Ideas are discussed as to how the harm can be repaired—restitution, community service, or other elements to address the specifics of this case. During the discussion, the juvenile is asked whether he or she thinks the ideas are fair and if he or she can do what is being requested. By being a part of the negotiations, the juvenile can “buy-in” to the agreement and ideally, become committed to following through on the requirements. Equally important, the victim is asked about his or her satisfaction with the proposed agreement. The contract that outlines the group’s recommendations is prepared and signed by all the participants.

The Indianapolis Juvenile Restorative Justice Experiment
The Role of Supporters

Jane stole a new jacket out of Susan’s school locker. Susan reported the incident to school staff and a school police officer. Later in the week the officer observed Jane wearing the jacket and proceeded to arrest her. Given that this was Jane’s first arrest, the case was referred to a RJ conference. When the conference facilitator asked Susan, who was only 12 years old, how she felt about the incident, Susan quietly stated that it made her upset. Beyond this, she was unable to articulate feelings she may have had about the incident. This seemed to confirm to Jane and her mother that, indeed, this was no big deal. Susan’s supporter, her older sister, then changed the tone of the conference. The sister explained that her mother takes on a second job each summer so that she can take her children clothes shopping at the beginning of each school year. The stolen jacket was Susan’s new piece of clothing for the year. The sister explained, “You have no idea how much you hurt my Mom and our family. She worked so hard to save up for us and then in the first couple weeks of school the jacket is stolen. This really hurt my family.” With these words, observers noted a sudden change in the tone of the conference. What had seemed a prank to Jane and her mother now was shown to have had real consequences.

In Indianapolis, conferences have been coordinated by police officers and sheriff’s deputies, school police, neighborhood prosecutors, the county’s restorative justice coordinator, and civilian volunteers. The conferences have occurred in a variety of settings including district police stations, schools, libraries, and community centers.

Expanding Beyond the Formal Experiment

RJ conferencing in Indianapolis is now operating on several levels. The focus of this report is on the formal experiment whereby youths ages 14 and younger arrested on specific charges are eligible for a conference. As will be discussed subsequently, eligible youths are randomly assigned to either a conference or another court-ordered diversion program. Beyond the formal experiment, however, conferences are emerging in other settings as well.

Community and School Use of Conferences

As a result of numerous community presentations on the use of RJ conferences, Indianapolis Public Schools, Perry Township Schools, and a number of other school districts within Marion County became interested in adapting the model.
as an alternative to arrest and/or expulsion. Security officers and administrators received Restorative Justice Conference Coordinator’s training to enable a school to handle their own problems without the intervention of the juvenile justice system. Working with the Marion County Prosecutor’s Office, the districts established criteria that would conform to their school boards’ policy guidelines on discipline and implemented conferencing to manage a variety of situations that formerly could have resulted in arrest or suspension. Although firm data on the number of school-based conferences are not available, reports from individuals who have been trained as coordinators confirm that conferences are occurring. In this respect, RJ conferences become another tool available to schools in addressing discipline issues within the school community.

In addition, schools within all the districts in Marion County have been receptive to participating in RJ conferences that have come into the project as a result of an arrest. A school’s role in a RJ conference as participant typically has an administrator, teacher, counselor, or social worker as part of the group. They relate how the school as a whole has been affected by an incident such as a fight or an act of vandalism. During the negotiations of the reparation contract, the school participants are especially helpful in recommending resources that they can make available, such as a counselor offering anger-control sessions, after-school activities, or even supervision for community service work.

Interest in the use of RJ conferences within the community has included community centers and other youth-serving agencies using the model to resolve differences among their participants. As with the schools, many of these youth service organizations have implemented conflict resolution programs. The RJ conferences tend to serve as a complement to conflict resolution, often as a last resort to expulsion from the program.

One concrete example of the expansion of RJ principles comes from the implementation of the Community Action Mediation Program (CAMP). Developed by the local Community Action Corporation, CAMP uses a community mediation approach coupled with mentoring for court-involved and at-risk youths.

Neighborhood prosecutors have used RJ principles to address a variety of community disputes that are brought to the prosecutor’s attention but are unlikely to receive court attention. One example has involved the neighborhood prosecutors working with apartment complex managers to use conferences to redress complaints that otherwise could not be prosecuted. Community use of this model requires only a trained conference coordinator and parties who are willing to abide by the contract developed as a result of the meeting.
Conferences can also foster community cooperation that goes beyond the specific conference. For example, a number of conferences were held for shoplifting at a large retail store on the north side of the city. While talking about one of the incidents, a juvenile mentioned that a number of other middle-school students also were involved in shoplifting at this store and were then taking the stolen merchandise to their nearby school where they would sell it to classmates. The restorative justice coordinator acted as a facilitator between the school administration and the loss prevention officer at the store, enabling them to work together on this problem.

The conferencing concept has also expanded through the efforts of police officers and sheriff’s deputies who have used conferences as part of their problem-solving activities. Deputies within the Marion County Sheriff’s Department have referred a number of cases to coordinators within the department for a RJ conference in lieu of arrest. Additionally, officers with the Indianapolis Police Department have conducted their own conferences as well. These are often situations where the underlying behavior does not represent a serious crime and where the officer was able to convene the victim, offender, and key supporters “on the spot” and thereby avoid either arrest or doing nothing.

The point is that the introduction of the RJ experiment, through the training provided and the experience gained by law enforcement, school officials, youth service providers, and others, has led to an expansion of the use of RJ principles to address a variety of conflicts within the community.

**RJ Conferences and Community Building**

The reparation contract that comes out of a conference often benefits the community as well as the victim. There are many instances where a victim feels that a sincere apology on the part of the offender has repaired the harm to him or her as an individual, but the group recommends some type of community service. One such example was a contract that requested a 14-year-old girl do twenty hours of community service at a nursing home in her neighborhood. While at first reluctant to do this, the girl completed her hours by reading to the residents and helping the women with their hair. The girl’s mother reported that her initial reluctance was replaced by a genuine caring for the home’s residents and that such a friendship developed that she continues going to the home and is even considering a career in elder care. Would such a relationship between a 14-year-old and a group of senior citizens been the likely outcome of more traditional responses to delinquency?
IV. Methodology and Findings

Program Eligibility

As noted in previous sections, restorative justice (RJ) conferences are one of many diversion options sponsored within the Marion County Juvenile Court. As with other diversion programs, RJ conferences serve as an alternative to handling juvenile crime in the traditional court system. Intake officers seek to assign youths to programs that address the needs of the offender (e.g., shoplifters are assigned to the Shoplifting Program, whereas vandals are referred to a program known as Paint It Clean). In Marion County twenty-four diversionary programs (including restorative justice) operate to serve arrested youths. The aim of restorative justice and other diversionary programs is to thwart the cycle of offending behaviors before youths become too deeply entrenched in delinquent behaviors.

Following arrest, juvenile court intake officers assess a juvenile offender at the juvenile holding facility to determine what course of action should be taken. In the presence of a parent or guardian, assessments are made to determine placement. Several criteria are employed to judge a youth’s eligibility for a diversion program:

1. The arrested youth must be a first-time offender (no prior adjudications).
2. The youth must not have been arrested for a serious, violent offense.
3. There must be no other pending charges.

As for admission into restorative justice, two additional criteria must be met. The youth must (1) be no older than 14 years of age, and (2) admit responsibility for the offense.

5 The eligibility criteria for the RJ experiment were developed by the Marion County Prosecutor’s Office and the Juvenile Court.

6 RJ conferences are not fact-finding hearings. A youth alleging innocence should have the case adjudicated in court. This also avoids situations whereby a victim could be “re-victimized” through participation in a conference where the alleged offender denies involvement or responsibility.
If deemed eligible, the offender is diverted from court and charges are not filed, pending successful completion of the assigned diversion program.

**Experimental Design**

To provide a clear picture of the effect of RJ conferences on victims, youths, and families, court officials supported the implementation of a true experimental design. The experimental design involves random assignment of youths to the RJ program (“treatment”) or to other diversion programs (“control”). This is the same design used to test medical treatment regimes and is valued because the random assignment produces treatment and control groups that are equivalent in all respects other than the program intervention itself (Campbell and Stanley, 1966).

The formal implementation of the RJ experiment began on September 1, 1997. Court intake officers screened youths for eligibility. If eligible, the youths were assigned through a random assignment procedure. Randomization occurs through one-month blocks. Each month Hudson Institute researchers prepare sealed assignment envelopes that are delivered to the Juvenile Intake Office. Envelopes are brown in color to conceal whether or not the youth is to be assigned to RJ or to another diversion program. In instances when the intake officer determines that a youthful offender meets eligibility criteria for placement into the program, the officer is instructed to draw an envelope from the stack prepared by the Hudson Institute. The envelope contains only two possible responses: “yes” or “no.” If the intake officer selects a “yes,” then the youth is assigned to the RJ program, and the case is turned over to the county coordinator. In contrast, a “no” selection indicates normal processing, and the youth is assigned to one of the other 23 diversion programs. In addition, a copy of the juvenile fact sheet that was filled out by the intake officer is forwarded to the Hudson Institute to facilitate tracking of control group subjects.

Since September 1997, the aim of the Restorative Justice Conferencing Program has been to admit approximately 10–15 youths each month in the RJ and control groups. For both groups, once the monthly quotas are met, intake officers cease screening efforts to place youths into the program. At the beginning of each month, the assignment process is reinstituted.

**Youth Participant Characteristics**

From September 1, 1997 through September 30, 1999, 458 youthful offenders participated in the Restorative Justice Conferencing Experiment. Of these, 232 were assigned to the RJ group, while the remaining 226
comprised the “control group.” Tables 2 through 6 provide descriptive characteristics of both groups of youths.

**Table 2**  
Race Breakdown—Restorative Justice/Control Group Participants*  

<table>
<thead>
<tr>
<th>Race</th>
<th>Restorative Justice</th>
<th>Control Group</th>
<th>Row Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Non-White**</td>
<td>135</td>
<td>58</td>
<td>143</td>
</tr>
<tr>
<td>White Only</td>
<td>97</td>
<td>42</td>
<td>83</td>
</tr>
<tr>
<td>Column Totals</td>
<td>232</td>
<td>100</td>
<td>226</td>
</tr>
</tbody>
</table>

* Chi-square comparison not significant  
**Given there were only three Hispanics and one self-identified (other categorized respondent), these four cases were grouped in the non-white category.

Table 2 reports the racial composition of the restorative justice and control group. The control group included slightly more non-white youths (63%) than did the RJ group (58%), though the differences were not statistically significant. These percentages are consistent with the general population of Indianapolis adjudicated delinquents in 1998, which consisted of 62% non-white offenders (Marion County Juvenile Probation Annual Report, 1999).

**Table 3**  
Gender Breakdown—Restorative Justice/Control Group Participants*  

<table>
<thead>
<tr>
<th>Gender</th>
<th>Restorative Justice</th>
<th>Control Group</th>
<th>Row Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Male</td>
<td>159</td>
<td>68</td>
<td>129</td>
</tr>
<tr>
<td>Female</td>
<td>73</td>
<td>32</td>
<td>97</td>
</tr>
<tr>
<td>Column Totals</td>
<td>232</td>
<td>100</td>
<td>226</td>
</tr>
</tbody>
</table>

*Chi-square significant < .05
In terms of gender, given that approximately 65 percent of adjudicated juveniles in Marion County last year were male, the finding that 63 percent of the experimental sample was male suggests it is a representative sample (see Table 3). There were, however, more males in the RJ group (68%) than in the control group (57%). In early analyses we were concerned about the overrepresentation of males in the RJ group. As the sample size has increased, however, the relative distribution has become more even between the two groups suggesting that the randomization process is “smoothing out” the initial uneven distribution.

Table 4
Age Breakdown—Restorative Justice/Control Group Participants

<table>
<thead>
<tr>
<th>Age</th>
<th>Restorative Justice</th>
<th>Control Group</th>
<th>Row Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>16</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>15</td>
<td>1</td>
<td>.4</td>
<td>4</td>
</tr>
<tr>
<td>14</td>
<td>75</td>
<td>32.3</td>
<td>72</td>
</tr>
<tr>
<td>13</td>
<td>62</td>
<td>26.7</td>
<td>60</td>
</tr>
<tr>
<td>12</td>
<td>45</td>
<td>19.4</td>
<td>53</td>
</tr>
<tr>
<td>11</td>
<td>26</td>
<td>11.2</td>
<td>19</td>
</tr>
<tr>
<td>10</td>
<td>12</td>
<td>5.2</td>
<td>12</td>
</tr>
<tr>
<td>9</td>
<td>8</td>
<td>3.4</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
<td>.9</td>
<td>3</td>
</tr>
<tr>
<td>7</td>
<td>1</td>
<td>.4</td>
<td>0</td>
</tr>
<tr>
<td>Column Totals</td>
<td>232</td>
<td>100</td>
<td>226</td>
</tr>
</tbody>
</table>

Table 4 reports the age distribution for both the restorative justice and control groups. The median age for both groups was 13.0. It is important to note that median ages are younger in the restorative justice and control groups than in the general population of adjudicated juveniles because participants of our program must be 14 years of age or younger. The age breakdowns of the RJ and control groups were quite similar with approximately 32 percent age 14, just over 26 percent age 13, and approximately 40 percent ages 12 and younger. It is in these young age groups that prior research has suggested high rates of re-offending (Snyder and Sickmund, 1995).
Table 5

Diversion Program Breakdown

<table>
<thead>
<tr>
<th>Diversion Program</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restorative Justice</td>
<td>232</td>
<td>51</td>
</tr>
<tr>
<td>Shoplifting Program</td>
<td>88</td>
<td>19</td>
</tr>
<tr>
<td>Garden Project</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Victim Offender Mediation</td>
<td>70</td>
<td>15</td>
</tr>
<tr>
<td>Volunteer Services</td>
<td>1</td>
<td>.2</td>
</tr>
<tr>
<td>Paint It Clean</td>
<td>4</td>
<td>.9</td>
</tr>
<tr>
<td>TNT</td>
<td>1</td>
<td>.2</td>
</tr>
<tr>
<td>Essay</td>
<td>3</td>
<td>.7</td>
</tr>
<tr>
<td>NCTI</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Operations Kids Can</td>
<td>15</td>
<td>3</td>
</tr>
<tr>
<td>Teen Court</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>Community Service</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>458</td>
<td>100</td>
</tr>
</tbody>
</table>

Table 5 contrasts the participants in RJ conferences with the range of other diversion programs. The two largest diversion categories were the shoplifting program and the victim offender mediation program. The other youths were spread over a wide variety of other programs.

The fact that Marion County relies on victim offender mediation (VOM) as well as RJ conferences is interesting. VOM shares many similarities with RJ (victim and offending youth meet face-to-face). The key distinction is that VOM relies on trained mediators, and they typically do not include a range of supporters of the offending youth and victim. Given the similarities, however, some of the differences between the RJ and control group may be less than would be expected with comparisons to other types of court-ordered programs. Consequently, in later stages of this project we intend to conduct additional comparisons. This will include contrasting the RJ group to the VOM participants as well as to control group participants minus the specific VOM group.

Table 6 reports the frequency of primary offenses for both the restorative justice and control groups. As indicated in the table, conversion (shoplifting) was the most frequently committed offense followed by battery, theft, and criminal mischief. The control group included slightly more shoplifting cases, whereas the RJ group included more theft charges. Combining the two categories, however, produces quite equivalent groups. Battery, or assault, charges comprised one-quarter of both samples.
Table 6
Primary Offense Committed by
Restorative Justice/Control Group Participants

<table>
<thead>
<tr>
<th>Primary Offense</th>
<th>Restorative Justice</th>
<th>Control Group</th>
<th>Row Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Conversion</td>
<td>84</td>
<td>36</td>
<td>105</td>
</tr>
<tr>
<td>Battery</td>
<td>59</td>
<td>25</td>
<td>56</td>
</tr>
<tr>
<td>Theft</td>
<td>36</td>
<td>16</td>
<td>22</td>
</tr>
<tr>
<td>Criminal Mischief</td>
<td>26</td>
<td>11</td>
<td>17</td>
</tr>
<tr>
<td>Disorderly Conduct</td>
<td>14</td>
<td>6</td>
<td>18</td>
</tr>
<tr>
<td>Trespass</td>
<td>7</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Intimidation</td>
<td>1</td>
<td>.4</td>
<td>0</td>
</tr>
<tr>
<td>Column Totals</td>
<td>232</td>
<td>100</td>
<td>226</td>
</tr>
</tbody>
</table>

Measures

This investigation employs both process and outcome measures. Again, the aim of the project is to determine the effectiveness of the restorative justice conferencing program compared with youthful offenders diverted from the juvenile court. Below, we list measures employed in this research project.

**Process Measures: Observation of Restorative Justice Conference Cases**
- Length of proceeding
- Role of conference coordinator
- Involvement of offender, youth supporter, victim, and victim supporter(s)
- Expressions of shame, apology, and acceptance of offender
- Elements of reparation agreement

**Outcome Measures:**

- Post-Conference/Diversion Surveys with Offending Youths, Victims, Victim Supporter(s), Offender’s Parents or Supporters
  - Satisfaction with restorative justice conference or diversion program
  - Participation in conference or designated program
  - Perception of participant’s behavior during conference
  - Value of program
  - Sense of justice
1 Year Follow-up Interview with Offending Youth (RJ and Control Group Participants)
- Self-reported offending
- Family and peer relationships
- School performance
- Work involvement

1 Year Follow-up Interview with the Victim (RJ and Control Group Participants)
- Sense of justice
- Overall satisfaction with how case was handled
- Degree to which victim had input into how case was handled
- Re-victimization

6-Month Recidivism Analysis
- Re-arrest and conviction rate
- Time to failure
- Seriousness of subsequent offense(s)

12-Month Recidivism Analysis
- Re-arrest and conviction rate
- Time to failure
- Seriousness of subsequent offense(s)

In terms of the recidivism analysis, at this point the sample size is not large enough to adequately examine time to failure and the seriousness of subsequent offenses. Further, only a small number of youths have completed programs and reached the 12-month point for assessment of re-arrest. Consequently, our analyses are fairly limited. More complete analyses will be conducted in the Stage Two phase following an additional year of data collection. Similarly, the sample size precludes detailed analyses of different subgroups (gender, race, type of offense) or for addressing theoretical questions by relating survey responses to re-arrest data. These will also be investigated in the second phase of the project.

Stage One Results

Observations of Conferences

One set of measures was obtained through the observation of RJ conferences. Specifically, we examined the length of proceeding; role of conference coordinator; involvement of offender, youth supporter, victim, and victim supporter; expressions of shame, apology, and acceptance of
offender; and elements included in the reparation agreement. From September 1, 1997 through September 30, 1999, 182 conferences had been conducted. Among these, 157 conferences (86%) have been observed by one of fifteen trained observers.

**Length of Proceeding.** Restorative justice conferences involving the offending youth, victim, and respective supporter(s) had an average duration of 43 minutes. Additionally, the reintegration ceremony averaged 10 minutes from the close of the conference.

**Role of Conference Coordinator.** Figure 4 presents data on the role of the conference coordinator on five separate dimensions. Generally, the results suggest that conference coordinators followed the principles of RJ conferencing. Observers noted that the coordinator maintained a distinction between the youth (valued member of community) and his behavior (condemning the act). Coordinators would bring the discussion back to the incident, and they rarely lectured the youth. Coordinators also were seen as doing an effective job eliciting the involvement of all conference participants.

![Figure 4: Observations of Conference Coordinator](image-url)
In just over one-third of the conferences, the coordinator made suggestions regarding the reparation agreement. The theory of RJ conferences would suggest that the coordinator should not do so, allowing the participants to clearly maintain ownership of the issue. Reality, however, suggests that sometimes participants struggle with ideas for appropriate reparation. It appears that on such occasions a coordinator could effectively suggest types of activities used in other situations, and the participants could then modify them to meet specific circumstances.

**When Coordinators Become Involved in the Reparation Agreement**

The incident involved a theft. The offending youth had apologized, and the stolen property had been returned to the victim. The group could not think of additional actions to suggest in the agreement, yet the parties were not satisfied that adequate consequences had been imposed. Finally, the coordinator asked whether the youth could pay back his mother for the time she missed at work due to having to go to juvenile court (upon the arrest) and attend the conference. The first response from the mother was that the youth had no money and was too young to have a job. One of the victim supporters then spoke up and suggested paying off the mom through chores around the house. The group then reached an agreement about the number of hours and types of activities, and all seemed satisfied that appropriate consequences were in place.

In other situations, coordinators may suggest options such as community service opportunities, or they may provide information about referral services for youths and families.

**Involvement of Offender, Victim, and Supporters** We also assessed conference observers’ perceptions of respect, defiance, and shame/apology and general conference outcomes among conference participants. As Table 7 indicates, observers reported that all the participants tended to display respect toward the offending youth. In a large majority of conferences the youth was also seen as conveying respect toward the victim. In approximately 22 percent of conferences the observer did not believe the offending youth was respectful toward the victim.
Table 7
Respect Among Conference Participants

<table>
<thead>
<tr>
<th>Respect Given</th>
<th>Strongly Agree %</th>
<th>Agree %</th>
<th>Neutral %</th>
<th>Disagree %</th>
<th>Strongly Disagree %</th>
<th>Total N</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Group to Youth</td>
<td>54</td>
<td>41</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>153</td>
</tr>
<tr>
<td>By Youth to Victim</td>
<td>26</td>
<td>48</td>
<td>12</td>
<td>12</td>
<td>10</td>
<td>50*</td>
</tr>
<tr>
<td>By Victim to Youth</td>
<td>42</td>
<td>47</td>
<td>9</td>
<td>3</td>
<td>0</td>
<td>150</td>
</tr>
<tr>
<td>By Victim Supporter to Youth</td>
<td>26</td>
<td>40</td>
<td>34</td>
<td>0</td>
<td>0</td>
<td>140</td>
</tr>
<tr>
<td>By Youth Supporter to Youth</td>
<td>43</td>
<td>48</td>
<td>8</td>
<td>1</td>
<td>0</td>
<td>154</td>
</tr>
</tbody>
</table>

*This variable was recently included in the observation sheet.

Observers typically report that youth offenders, victims, and supporters were not defiant (see Table 8). In nearly all the conferences, the group expressed disapproval of the act. In over 80 percent of the conferences observers reported the youth apologized to the victim, and in half the conferences the youth apologized to his or her own supporters. Observers also reported that youths expressed remorse (76%) and understood the injury or harm they had caused (66%). Over 80 percent of the conferences appeared to include the victim and the group forgiving the youth, and in three-quarters of the conferences the observer reported a strong sense of reintegration at the conference close (see Figure 5).

Table 8
Defiance Among Conference Participants

<table>
<thead>
<tr>
<th>Defiance Shown</th>
<th>Strongly Agree %</th>
<th>Agree %</th>
<th>Neutral %</th>
<th>Disagree %</th>
<th>Strongly Disagree %</th>
<th>Total N</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Youth</td>
<td>2</td>
<td>12</td>
<td>10</td>
<td>24</td>
<td>52</td>
<td>154</td>
</tr>
<tr>
<td>By Victim</td>
<td>0</td>
<td>4</td>
<td>7</td>
<td>27</td>
<td>62</td>
<td>150</td>
</tr>
<tr>
<td>By Youth Supporter</td>
<td>1</td>
<td>4</td>
<td>8</td>
<td>27</td>
<td>60</td>
<td>155</td>
</tr>
<tr>
<td>By Victim Supporter</td>
<td>0</td>
<td>1</td>
<td>30</td>
<td>22</td>
<td>47</td>
<td>144</td>
</tr>
</tbody>
</table>
In all the conferences all the participants signed the reparation agreement. Observers reported that victims appeared to be satisfied in over 80 percent of the conferences, and three-quarters of the conferences were judged by observers to be positive. Observers also reported that in over 80 percent of the conferences someone was appointed to hold the youth accountable to the terms of the reparation agreement. Thus, rather than have a court official monitor the agreement someone from the community of support volunteered to hold the youth accountable. This person was then contacted by the Marion County RJ Coordinator to verify completion of the agreement (see Table 9).
Elements of Reparation Agreement. Apology was the most common element of agreements (62%), though to some extent this underrepresents the frequency of apologies, because many conferences have already witnessed an apology and it may not be written into the formal agreement (see Table 10). Other common elements included monetary restitution to the victim, personal service, and community service. Over half the conferences included other elements. These were typically activities that the group tailored to the specific circumstances. Examples include imposing a nightly curfew, improving grades or school attendance, or participating in after-school programs.

Table 10
Elements of Reparation Agreement

<table>
<thead>
<tr>
<th>Element</th>
<th>Percentage of Time Element Was Included in Reparation Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apology</td>
<td>62%</td>
</tr>
<tr>
<td>Monetary</td>
<td>42%</td>
</tr>
<tr>
<td>Personal Service</td>
<td>36%</td>
</tr>
<tr>
<td>Community Service</td>
<td>24%</td>
</tr>
<tr>
<td>Other</td>
<td>57%</td>
</tr>
</tbody>
</table>

The observations suggest that to a significant extent the conferences are being implemented as intended. Victims appear to be satisfied; youths appear to
understand how they have harmed others; victims and youths appear to be treated with respect. Yet, these impressions come from external research observers. To tap into the most important perceptions, however, we turn to results from interviews with victims, offending youths, and their parents.

Post-Conference and Post-Diversion Surveys

A significant part of this study is to assess how victims, offenders, and respective supporters felt about RJ conferencing as an alternative to traditional court-ordered programs. Part of this assessment involves exploring how perceptions of conferencing compare to perceptions of other diversion programs. Surveys were developed for victims, offenders, and parents of offenders who had either gone through a conference or one of the other diversion programs. The goal was to collect data on participants’ attitudes and beliefs about how their cases were handled, as well as their sense of justice. Those who participated in conferences received a slightly different questionnaire than those whose cases went through another type of diversion program. While similar questions were included to allow for comparison, other questions were specific to the type of program.

Initially, there were delays in implementing the interview procedures. Consequently, the sample size for the interviews is smaller than for the total sample of conference and control group cases. Thus, the results presented from the interviews come principally from cases occurring during late 1998 and 1999. Given the small sample size, we report descriptive findings without assessing the statistical significance of the findings. More-detailed assessments will be included in the second stage of this project.

Satisfaction. Figure 6 presents the results of a question that asked participants how satisfied they were with the way in which the case was handled. The most significant difference was for victims. Over 90 percent of victims in conferenced cases either strongly agreed or agreed that they were satisfied. This compared to 68 percent of the victims in the control group. There were few differences for either youths or parents. Overall, high levels of satisfaction were expressed with control group youths and control group parents slightly more likely to express satisfaction. This may indicate the extra demands (time, accountability) placed on youths and parents in the conferences.

The next item asked participants whether they would recommend the program to a friend involved in a similar situation. Again, the most significant difference between the groups was for victims. Nearly all the victims involved in conferences (98%) said they would recommend this

---

7 Conference victims (N=42); control group victims (N=50); conference youths (N=52); control group youths (N=47); conference parents (N=52); control group parents (N=47).
approach compared to one-quarter of the victims in the control group. Youths involved in conferences were also more likely to say they would recommend this approach (85% compared to 38%). There were no differences among parents (see Figure 6).

Another indication of satisfaction, or dissatisfaction, is whether the participants would recommend discontinuing the program. Most of the participants would not recommend stopping either conferences or the control group programs. Conference participants, however, were most likely to endorse continuing the program. For example, none of the victims involved in conferences agreed they should be discontinued. Just over one-fifth of the control group victims agreed the program should be stopped. Nineteen percent of youths in conferences recommended discontinuing the program compared to 36 percent in the control group. Seventeen percent of conference parents compared to 25 percent of control group parents recommended stopping the program.

The final overall indicator of satisfaction asked participants whether the program is a good way to deal with some kinds of juvenile crime. Here, both conferences and the other court programs received strong endorsements. For victims and youths, the control group program participants
were more likely to state they strongly agreed with the question. For parents, those involved in conferences were more likely to strongly agree than were those in the control group. When collapsing agree and strongly agree response categories, few differences among conference and control group participants emerged (see Figure 6).

**Perceptions of Respect and Involvement.** Participants in both conferences and the control group programs all felt they were treated with respect. There were no real differences among treatment or control groups for victims, youths, or parents (see Figure 7).

None of the victims involved in conferences reported that they felt they were pushed around. Approximately 20 percent of youths and 15 percent of parents in conferences felt pushed around, but this was lower than that reported by youths and parents in the control group.

There were, however, differences when asked whether they felt involved in the process. The very principles of conferences are built on the participation of the affected parties, and the results indicate these principles are being achieved. Nearly all the conference victims (97%) agreed they were involved. This compared to 38 percent of the control group victims. Youths involved in conferences were also much more likely than control group youths to feel they were involved (84% and 47%, respectively). Nearly 80 percent of conference parents felt involved compared to 40 percent of parents in the control group (see Figure 7).

Participants in conferences were also more likely to report that they had the opportunity to express their views. For victims, 95 percent of the conference victims agreed they had this opportunity, compared to 56 percent of victims in the control group. For youths, 86 percent of conferenced youths felt they had the opportunity to express their views, compared to 55 percent of those in the control group. Finally, for parents the comparable figures were 90 and 68 percent for conference and control group members, respectively (see Figure 7).

**Perception of Outcomes.** Large majorities of participants in both conferences and the control group reported that they believed the outcome in the case was fair. Victims involved in conferences were more likely to describe the outcome as lenient than were their control group counterparts (36% and 14%, respectively). Conferenced youths were slightly less likely to describe the outcome as lenient, whereas conference parents were somewhat more likely to describe the outcome as lenient (see Table 11).
Figure 7
Reported Involvement, Respect, Problem Solving (%)

Table 11
Perception of the Outcome

<table>
<thead>
<tr>
<th></th>
<th>Much too lenient</th>
<th>Somewhat lenient</th>
<th>Fair</th>
<th>Somewhat severe</th>
<th>Much too severe</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Conferenced Victim</td>
<td>4</td>
<td>10</td>
<td>11</td>
<td>26</td>
<td>27</td>
</tr>
<tr>
<td>Control Victim</td>
<td>1</td>
<td>2</td>
<td>6</td>
<td>12</td>
<td>43</td>
</tr>
<tr>
<td>Conferenced Youth</td>
<td>1</td>
<td>2</td>
<td>8</td>
<td>15</td>
<td>39</td>
</tr>
<tr>
<td>Control Youth</td>
<td>3</td>
<td>6</td>
<td>8</td>
<td>17</td>
<td>32</td>
</tr>
<tr>
<td>Conferenced Parent</td>
<td>2</td>
<td>4</td>
<td>15</td>
<td>29</td>
<td>32</td>
</tr>
<tr>
<td>Control Parent</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>10</td>
<td>33</td>
</tr>
</tbody>
</table>
Conference participants were more likely to report that the program had helped to solve problems. Over three-quarters of conference victims reported this compared to one-half of control group victims. Over 80 percent of conferenced youths and parents reported that problems were solved. This compared to 58 and 72 percent of control group youths and parents (see Figure 7).

**Summary of Public Perceptions.** Interesting patterns emerge in the interview data. Overall, there appears to be reasonably high levels of satisfaction among participants in conferences and in other court-ordered programs (control group programs). Thus, the Indianapolis program does not involve a comparison of restorative justice programs to court-ordered programs that are perceived as failing.

The conference approach does appear to make a positive difference for victims. Victims were more satisfied with how their cases were handled, much more likely to recommend the conference approach to a friend, and felt that they were treated with respect. Consistent with the principles of restorative justice, victims participating in conferences were much more likely to report they were involved in the process and that they had the opportunity to express their views.

For youths and parents, on many items there were no differences with control group participants. On the items considered to be at the core of the RJ approach, however, there were significant differences. Conference participants, youths and parents alike, were more likely to feel involved, to have had a say in the matter, and to have had problems solved than were control group participants.

**Program Completion and Re-Arrest**

Observations of conferences suggest that they were implemented in a fashion consistent with restorative justice philosophy and principles. The interview data suggest that conferences better addressed the needs of victims than did many other programs. Parents and youths reported high levels of participation and involvement in the process. Yet, for many policy-makers the fundamental question is the impact on future offending. In this case, recidivism rates of restorative justice conference participants can be compared to those youths who were eligible for, but not assigned to, the restorative justice program (e.g., the control group). Recidivism can be measured as whether the youth was re-arrested after the initial arrest that brought the youth to the juvenile justice system for the first time. Recidivism analysis was conducted for both groups at six- and twelve-month intervals.
Program Completion. Table 12 assesses the completion of diversion programs for RJ participants and those assigned to the control group. As suggested by these findings, youths participating in RJ conferences demonstrated a significantly higher completion rate than youths in the control group who may be assigned to any of the other 23 diversion programs (83% versus 58%, respectively).

Table 12
Completion of Diversion Program

<table>
<thead>
<tr>
<th>Group</th>
<th>Completed N</th>
<th>Completed %</th>
<th>Failed to Complete N</th>
<th>Failed to Complete %</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restorative Justice</td>
<td>138</td>
<td>83</td>
<td>29</td>
<td>17</td>
<td>167</td>
</tr>
<tr>
<td>Control Group</td>
<td>97</td>
<td>58</td>
<td>71</td>
<td>42</td>
<td>168</td>
</tr>
<tr>
<td>Totals</td>
<td>235</td>
<td>70</td>
<td>100</td>
<td>30</td>
<td>335</td>
</tr>
</tbody>
</table>

As Table 13 indicates, the majority of youths within the restorative justice group (N=11) were re-arrested prior to attending the conference. In contrast, control group participants largely failed to complete the assigned diversion program due to juvenile waiver from program (N=26).

Table 13
Reason for Non-Completion of Diversion Program

<table>
<thead>
<tr>
<th>Reason</th>
<th>RJ Group</th>
<th>Control Group</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed Diversion Program</td>
<td>138</td>
<td>97</td>
<td>235</td>
</tr>
<tr>
<td>Re-Arrested Prior to Conference/Diversion Program</td>
<td>11</td>
<td>4</td>
<td>15</td>
</tr>
<tr>
<td>No Show</td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Waived</td>
<td>1</td>
<td>26</td>
<td>27</td>
</tr>
<tr>
<td>Moved out of State</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Refused to Complete</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Unable to Contact</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Failed</td>
<td>5</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>Reason Unknown</td>
<td>0</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>Total</td>
<td>167</td>
<td>168</td>
<td>335</td>
</tr>
</tbody>
</table>

TO THE COMMUNITY
6-Month Recidivism Analysis. Table 14 presents the results of the six-month re-arrest rate for the total sample of cases that have reached the six-month stage. As the table indicates, the RJ group had fewer recidivists than the control group by a margin of 13.5 percent. This represents a 40 percent reduction in re-arrest and is a statistically significant difference.

Table 14
Contact with Court since Initial Incident—6 Months*

<table>
<thead>
<tr>
<th>Group</th>
<th>Contact with Court</th>
<th>No Contact with Court</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Restorative Justice</td>
<td>34</td>
<td>20.4</td>
<td>133</td>
</tr>
<tr>
<td>Control Group</td>
<td>57</td>
<td>33.9</td>
<td>111</td>
</tr>
<tr>
<td>Totals</td>
<td>91</td>
<td>27.2</td>
<td>244</td>
</tr>
</tbody>
</table>

*Chi-square statistically significant < .01

Table 15 compares the re-arrest rates for youths that successfully completed either the RJ program or the control group program. In effect, this limits the comparison to those youths that successfully completed the “treatment.” This is a conservative test of the RJ program because, as noted above, RJ youths completed their assigned program at a much higher rate than did youths in the control group. Thus, presumably the group of RJ program completers included a larger portion of “higher-risk” youths than was the case with the control group (where larger numbers of higher-risk youths did not complete the diversion program). Yet, here too we see a significant reduction in the re-arrest rates (12.3% compared to 22.7% for RJ and control group youths, respectively). This represents a 46 percent reduction in the recidivism rate and is statistically significant.

Table 15
Youths Who Have Had Contact with Court After Having Completed Assigned Diversion Program—6 Months*

<table>
<thead>
<tr>
<th>Diversion Program Completed</th>
<th>Contact with Court</th>
<th>No Contact with Court</th>
<th>Column Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Restorative Justice</td>
<td>17</td>
<td>12.3</td>
<td>121</td>
</tr>
<tr>
<td>Control Group</td>
<td>22</td>
<td>22.7</td>
<td>75</td>
</tr>
<tr>
<td>Row Totals</td>
<td>39</td>
<td>16.6</td>
<td>196</td>
</tr>
</tbody>
</table>

*Chi-square statistically significant < .05
12-Month Recidivism Analysis. Table 16 reports the re-arrest rates for the total sample of cases that have reached the 12-month stage following the initial arrest. Just over 30 percent (30.8%) of the youths participating in RJ conferences were re-arrested at twelve months. This compares to 41.2 percent of the youths in the control group and represents a 25 percent reduction in recidivism.

Although a 25 percent reduction is substantial, it is lower than the 40 to 45 percent reduction witnessed at the six-month stage. There are several potential explanations. One is that the impact of RJ conferences may decrease somewhat over time. A second is that the smaller number of cases that have reached the 12-month stage, compared to the 6-month stage, is dampening the effect by giving more weight to cases handled early in the experiment. Our early 6-month analyses witnessed smaller differences in re-arrest rates between the two groups than was the case with a larger sample. Early in the project there was often delay in arranging conferences and conference facilitators were inexperienced. These problems have diminished over the course of the project. Thus, it may be that the differences between RJ and control group cases at 12 months will increase as more and more cases reach that stage. This would be consistent with our observations at 6 months. The second stage of the research project will allow us to test these potential explanations.

Table 16
Contact with Court since Initial Incident—12 Months*

<table>
<thead>
<tr>
<th>Group</th>
<th>Contact with Court</th>
<th>No Contact with Court</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N</td>
<td>%</td>
<td>N</td>
</tr>
<tr>
<td>Restorative Justice</td>
<td>40</td>
<td>30.8</td>
<td>90</td>
</tr>
<tr>
<td>Control Group</td>
<td>54</td>
<td>41.2</td>
<td>77</td>
</tr>
<tr>
<td>Totals</td>
<td>94</td>
<td>36.0</td>
<td>167</td>
</tr>
</tbody>
</table>

*Chi-square statistically significant = .05

Insufficient numbers of cases of youths who successfully completed the diversion program have reached the 12-month stage, and thus these data are not presented. This will, however, be analyzed in the next phase of the project.8

Subgroup Comparisons. In the second stage of this project we will examine carefully whether the conferences seem to have more of an effect on particular types of cases or for some groups of youths. At this point in the study, the sample sizes become quite small when the treatment and con-

8 Similarly, in subsequent stages of the project we will consider issues such as the length of time between program completion and re-arrest, and the seriousness of subsequent offending.
trol groups are divided by characteristics such as offense, gender, and race. We therefore do not provide these breakdowns in the present report. We have, however, examined the results for three sets of variables: offense, gender, and race.

In terms of offense we have compared youths arrested for property offenses with youths arrested for person offenses. Property offenders had lower re-arrest rates than did person offenders, but the reductions in re-arrest for youths attending conferences were consistent for both groups of offenses.

In terms of gender, both males and females attending conferences witnessed a reduction in re-arrest. The decline for females was larger, however, than the decline for males.

There were no racial differences in terms of re-arrest for either conferenced youths or those in the control groups. The reduction in re-arrest for youths attending conferences was consistent for white and non-white youths.

Thus, the effects described for conferences appear to be consistent for youths varying by offense, gender, and race. These results should be considered preliminary, however, until further analyses with larger sample sizes can verify these findings.

Community Building through RJ Conferencing

It was the apartment manager's turn to speak. Describing the juvenile's act of mischief as just the latest in a string of problems she was having with the kids in the complex, the manager said that Jennifer had frightened a number of the older residents by lighting the shirt on fire in the hallway. Although no physical damage had been done to the building, there was considerable harm to be repaired. As part of her contract, Jennifer agreed to spend three hours per day for three weeks helping the apartment maintenance person with duties around the complex. In follow-up with the apartment manager, she reported that Jennifer completed her duties and had repaired the harm she had caused. There had been an unexpected benefit as well. The kids who had been hanging around and causing problems saw Jennifer helping out around the complex and had come in to volunteer for their own special assignments. Relations between the kids and older residents were much improved, and incidents of mischief and vandalism had dropped dramatically. The manager was interested in using the conferences as a method of dealing with a variety of problems that might arise in the complex.
V.

Summary and Conclusions

For a century the nation has looked to the state, through the juvenile courts, to respond to juvenile crime and delinquency. For some types of juvenile crime and for some youths this makes sense. Yet there are both practical and philosophical reasons for questioning this wholesale reliance on the courts. Practically, the volume of juvenile crime cases limits the ability of the courts to adequately address the justice and youth needs that are placed in front of a judge. Philosophically, we must ask whether the courts are always best suited to address issues once handled by families and communities. Restorative justice conferences represent a return of justice to the community. Through partnership with the courts, restorative justice conferences place responsibility for meeting victim needs, holding youths accountable, and reintegrating youths in the community with family and community members. Where law enforcement is an active ingredient of conferences, it also represents the manifestation of real community policing.

The current research, coupled with prior studies, suggests that restorative justice conferences do offer promise as a vehicle for dispensing meaningful, community-based justice.

One of the basic findings is that conferences can be successfully implemented in an urban, U.S. setting. In presentations to policy-makers, criminal justice officials, and community leaders, an often-heard question was whether conferences could be used in large U.S. cities. Skeptics mentioned that families and neighborhoods are too fragmented and predicted low participation among victims and parents. Yet, over 80 percent of the youths referred to a conference are attending conferences and successfully completing the terms of the reparation agreement. For Indianapolis, this compared very favorably with other court-related diversion programs.

Observations of conferences by members of the research team revealed...
that conferences appeared to be implemented according to restorative justice principles such as inclusion of affected parties, respect, and problem solving. Victims received apologies and other mutually agreed-to actions were included in the agreements.

The interview data suggested positive results for participants in conferences. Specifically, the conference approach does appear to make a positive difference for victims. Although progress has been made through the victim rights movement, too often victims have been excluded from the legal proceedings following an offense. Restorative justice practices, however, challenge this exclusion and view the involvement of victims as a central element of restoring justice. Consistent with these principles, victims participating in conferences were much more likely to report they were involved in the process and that they had the opportunity to express their views. This translated into victims being more satisfied with how their case was handled, being much more likely to recommend the conference approach to a friend, and reporting that they were treated with respect.

On many dimensions youths and parents expressed general satisfaction with both RJ conferences and with the other court-related programs (control group). When we focused on the dimensions at the core of the restorative justice approach (involvement, having a voice, problem solving), however, there were significant differences. These findings suggest that the conference approach does offer something different from the normal way of doing business.

Beyond addressing victim needs, for many policy-makers the central question is whether conferences offer benefits in terms of re-offending. Given the Stage One focus on first-time, young offenders, the results are promising and suggest that conferences may offer a more effective intervention in early offending. For both the total sample, and for youths successfully completing their diversion programs, youths attending conferences were significantly less likely to be re-arrested 6 months after the initial incident. Similar findings were observed at 12 months for the total sample.

As noted earlier, this report presents the Stage One findings of an ongoing experiment. As the project continues we will seek to confirm these initial results with larger samples. This will also allow us to address theoretical questions. For example, does the reduction in re-arrest relate to perceptions of accountability, increased empathy toward victims, improved relationships with adult supporters, or some combination of factors? These questions can be addressed by relating survey findings from offending youths, parents, and victims to re-offending rates. Larger samples will also allow us
to more thoroughly examine the results for different subgroups (e.g., differences by gender, race, age, and offense type). Additionally, we plan to address the issue of the police role as conference facilitator. Does it make a difference, for victims or for youths, if the facilitator is a uniformed police officer or a civilian? Finally, we hope to extend the experiment to a broader range of offenses and for youths with prior experience in the court. This will allow us to test whether these initial promising results hold for more serious youth offenders.

Given the high rate of re-offending among very young children who enter juvenile court, these findings are encouraging and suggest continued experimentation and assessment of the restorative justice conference approach. Given the high level of victim support, the results suggest that conferences offer important benefits beyond the impact on the youth alone.
VI. References


Marion County Superior Court, Juvenile Probation Services. 1999.


About the Authors

**Edmund McGarrell** is director of Hudson Institute’s Crime Control Policy Center and is a Hudson senior fellow. He is Chair of the Department of Criminal Justice at Indiana University. He has been a fellow at the National Center for Juvenile Justice and was formerly Co-Director of the Washington State Institute for Community Oriented Policing. Dr. McGarrell has directed a number of large-scale research projects. These include an evaluation of a fear and crime reduction program in public housing and a study of the effects of directed police patrol on firearms crime, both sponsored by the National Institute of Justice, U.S. Department of Justice. His current research includes the use of crime information in strategic planning, multi-agency strategic planning for violence reduction, and study of the use of Restorative Justice Conferences for juvenile offenders. McGarrell received his Ph.D. from the School of Criminal Justice, Nelson A. Rockefeller College of Public Affairs and Policy, State University of New York at Albany.

**Kathleen Olivares** is research coordinator of the Restorative Justice Experiment. Her research interests include corrections, community-based crime prevention, and research methods. She has published in the areas of ex-offender reintegration and the civil and legal rights restrictions of convicted felons. Ms. Olivares earned her M.A. degree in criminal justice from Washington State University in 1996 and is currently pursuing a doctorate in the Department of Criminal Justice at Indiana University-Bloomington.

**Kay Crawford** joined Hudson Institute in 1997 as a research assistant in the Crime Control Policy Center. She is currently a research fellow and coordinates and conducts restorative conferences with juvenile offenders. Crawford has trained numerous law enforcement officers, school police and other youth workers as restorative justice conference coordinators. In addition, she is on the board of the Community Systemwide Response team for the Martindale/Brightwood/Forest Manor area in Indianapolis and works on issues of juvenile justice with other community groups. She earned her J.D. from the Washburn University School of Law in 1981 and a B.A. in journalism from Wichita State University in 1974.

**Natalie Kroovand**, a Hudson Institute researcher, serves as a criminologist for the Indianapolis Police Department. In this role she conducts crime analyses, crime mapping, database management and program evaluations. Ms. Kroovand’s research interests include juvenile justice, restorative justice, policing, and research methods. She received her bachelor’s degree from Wake Forest University and holds a master’s degree from Indiana University. She is the author of an article appearing in the Journal of Black Psychology and is currently pursuing a doctorate in the Department of Criminal Justice at Indiana University-Bloomington.
About the Crime Control Policy Center

The Crime Control Policy Center (CCPC) was created in 1995 to identify and test promising crime control strategies with the long-term goal of developing the knowledge base for building a safer society in the future. The center takes a unique approach in its research by entering into partnerships with criminal justice agencies to identify innovative approaches to crime control, support implementation, and evaluate and refine. This approach has led to several cutting edge anti-crime initiatives at the local level with national and international implications.

Directed by Ed McGarrell, the Center’s current work includes restorative justice practices, strategic responses to violent crime, reducing illegal drug use, and problem solving policing. Like a number of other Hudson Centers, the Crime Center takes a “hands-on approach” to its research, working in partnership with law enforcement and related criminal justice agencies to analyze problems, craft and implement solutions, and evaluate and revise strategies.

In much of our work, Indianapolis has acted as a laboratory for testing innovative crime control strategies. Given our success, we are now taking the lessons learned locally and informing national and international audiences. We are also broadening our focus to work with other U.S. communities and internationally.

Board of Advisors

The Honorable Deborah Daniels
Chair of Counsel
Krieg DeVault Alexander & Capehart
Indianapolis, Indiana

Dr. T. Garrott Benjamin Jr., Bishop
Light of the World Christian Church
Indianapolis, Indiana

Dr. Gerald Bepko, Chancellor
Indiana University—Purdue University at Indianapolis
Indianapolis, Indiana

Mr. Amos C. Brown III
Director of Strategic Research
WHHH Hoosier 96
Indianapolis, Indiana

Mr. Tom Cochrun
President and CEO
Nineteenth Star, LLC
Indianapolis, Indiana

Chief Rueben Greenberg
Charleston Policy Department
Charleston, South Carolina

Professor Philip Heymann
Harvard University School of Law
Cambridge, Massachusetts

Ms. Rita Kramer
Contributing Editor
City Journal
New York, New York

Ms. Catherine Milton
Executive Director for U.S. programs
Save the Children
Westport, Connecticut

The Honorable Scott Newman
Marion County Prosecutor
Indianapolis, Indiana

The Honorable James Payne
Judge
Juvenile Division
Marion County Superior Court
Indianapolis, Indiana

Mr. Louis (Chip) Weil
President and CEO
Central Newspapers, Inc.
Indianapolis, Indiana

Professor Cathy Spatz Widom
School of Criminal Justice,
SUNY—Albany
Albany, New York

Professor James Q. Wilson
Ronald Reagan Professor of Public Policy
Pepperdine University
Malibu, California
About the Hudson Institute

Hudson Institute is a private, not-for-profit research organization founded in 1961 by the late Herman Kahn. Hudson analyzes and makes recommendations about public policy for business and government executives, as well as for the public at large. The Institute does not advocate an express ideology or political position. However, more than thirty years of work on the most important issues of the day has forged a viewpoint that embodies skepticism about the conventional wisdom, optimism about solving problems, a commitment to free institutions and individual responsibility, an appreciation of the crucial role of technology in achieving progress, and an abiding respect for the importance of values, culture, and religion in human affairs.

Since 1984, Hudson has been headquartered in Indianapolis, Indiana. It also maintains offices in Washington, D.C.; Madison, Wisconsin; and Tampa, Florida.
Crime is in our cross hairs

Subscribe to American Outlook magazine, the 72 page high-gloss bi-monthly publication of the Hudson Institute. Edited by S.T. Karnick, American Outlook is your connection to the latest research by Edmund McGarrell and The Crime Control Policy Center staff.

American Outlook magazine
Bi-monthly, 6 issues, $19.95

Call 888-554-1325
or order online at www.hudson.org
Bulk quantity pricing available.