



Returning Justice  
to the Community:

# The Indianapolis Juvenile Restorative Justice Experiment

Edmund F. McGarrell  
Kathleen Olivares  
Kay Crawford  
Natalie Kroovand



**Crime Control Policy Center**

**June 2000**



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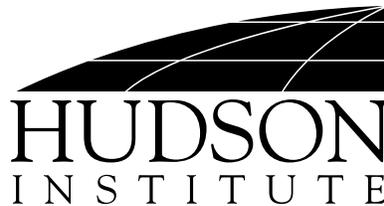
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ISBN 1-55813-072-1

\$7.00

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Printed in the United States of America.

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## 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. 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 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



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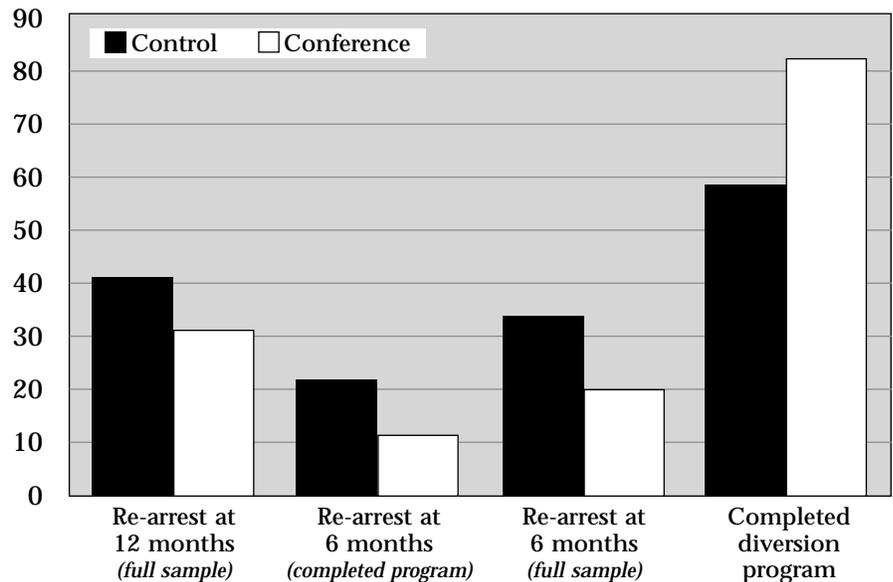
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34 percent for the control group. This represents a 40 percent reduction and is statistically significant.

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.

Figure 1  
Program Completion and Re-Arrest (%)



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





## 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.

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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-







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forced courts into what Lawrence Sherman<sup>1</sup> 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.

<sup>1</sup> 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



## Accountability and Community Building

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).

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## 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-



## 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



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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 acquaintanceship 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-







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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.<sup>2</sup>

Figure 2  
Restorative Justice Principles



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.

*“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.”*

—Former Indianapolis Mayor Stephen Goldsmith

<sup>2</sup> 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

Law Enforcement (N=97)	
Indianapolis Police Department	44
Marion County Sheriff Department	12
Indianapolis Public Schools Police Department	28
Butler University Police Department	5
Other police agencies	8
Other Criminal Justice Agencies (N=31)	
Marion County Prosecutor's Office	8
Marion County Superior Court, Juvenile Division	2
Other court	3
Probation departments	7
Community corrections	7
Indiana Department of Correction	4
Youth Service Agencies	36
Schools	28
Office of the Mayor	1
Hudson Institute	13
Other	4



## 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.



*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.*

## 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.<sup>3</sup> 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.

<sup>3</sup> 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.<sup>4</sup> 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.

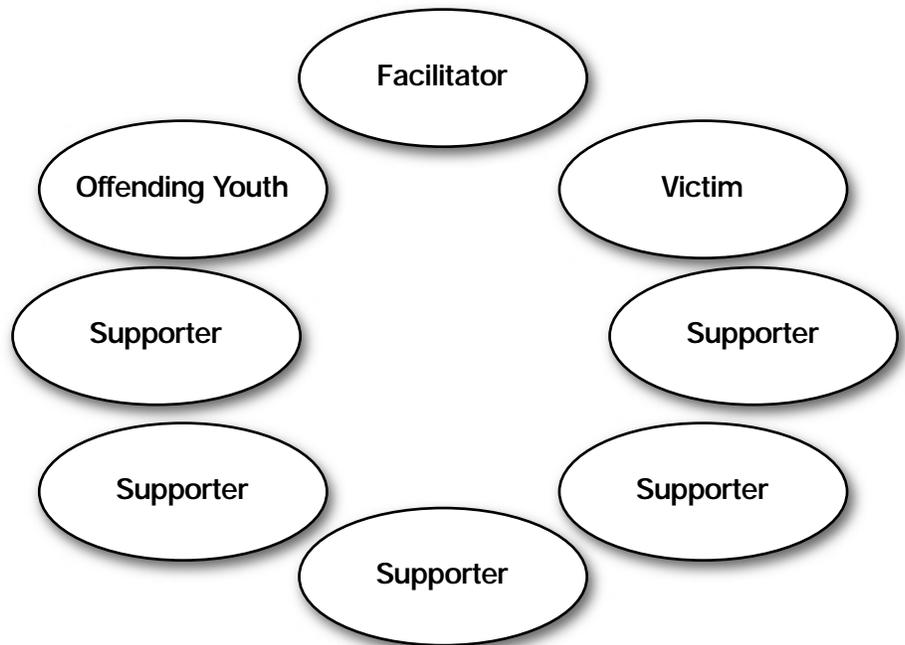
During a conference, the coordinator guides the juvenile through a series of questions to help the group understand what happened. Questions such as how the youth was involved, what the youth was thinking about at the time, and whom the youth thinks the offending behavior has affected are intended to 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

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<sup>4</sup> RJ conferences are not fact-finding hearings. Youths denying guilt should have their cases proceed to court. Additionally, holding 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.

Figure 3  
Restorative Justice Project



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 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

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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.





## 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.<sup>5</sup> The youth must (1) be no older than 14 years of age, and (2) admit responsibility for the offense.<sup>6</sup>

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<sup>5</sup> The eligibility criteria for the RJ experiment were developed by the Marion County Prosecutor's Office and the Juvenile Court.

<sup>6</sup> 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 reinstated.

## 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

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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\*

Race	Restorative Justice		Control Group		Row Totals	
	N	%	N	%	N	%
Non-White**	135	58	143	63	278	61
White Only	97	42	83	37	180	39
Column Totals	232	100	226	100	458	100

\* 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\*

Gender	Restorative Justice		Control Group		Row Totals	
	N	%	N	%	N	%
Male	159	68	129	57	288	63
Female	73	32	97	43	170	37
Column Totals	232	100	226	100	458	100

\*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**

Age	Restorative Justice		Control Group		Row Totals	
	N	%	N	%	N	%
16	0	0	1	.4	1	.2
15	1	.4	4	1.8	5	1.1
14	75	32.3	72	31.9	147	32
13	62	26.7	60	26.5	122	26.6
12	45	19.4	53	23.5	98	21.4
11	26	11.2	19	8.4	45	10
10	12	5.2	12	5.3	24	5.2
9	8	3.4	2	1	10	2.2
8	2	.9	3	1.3	5	1.1
7	1	.4	0	0	1	.2
Column Totals	232	100	226	100	458	100

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

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

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**

Primary Offense	Restorative Justice		Control Group		Row Totals	
	N	%	N	%	N	%
Conversion	84	36	105	46	189	41
Battery	59	25	56	25	115	25
Theft	36	16	22	10	58	13
Criminal Mischief	26	11	17	8	43	9
Disorderly Conduct	14	6	18	8	32	7
Trespass	7	3	5	2	12	3
Other	5	2	3	1	8	2
Intimidation	1	.4	0	0	1	.2
Column Totals	232	100	226	100	458	100

## 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

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## *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

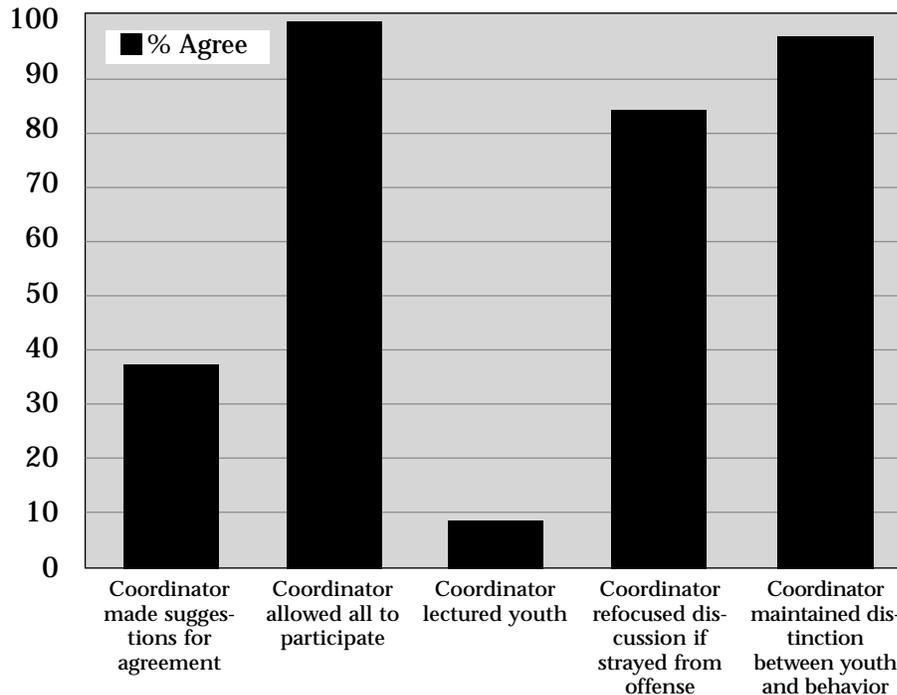




Table 7  
**Respect Among Conference Participants**

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

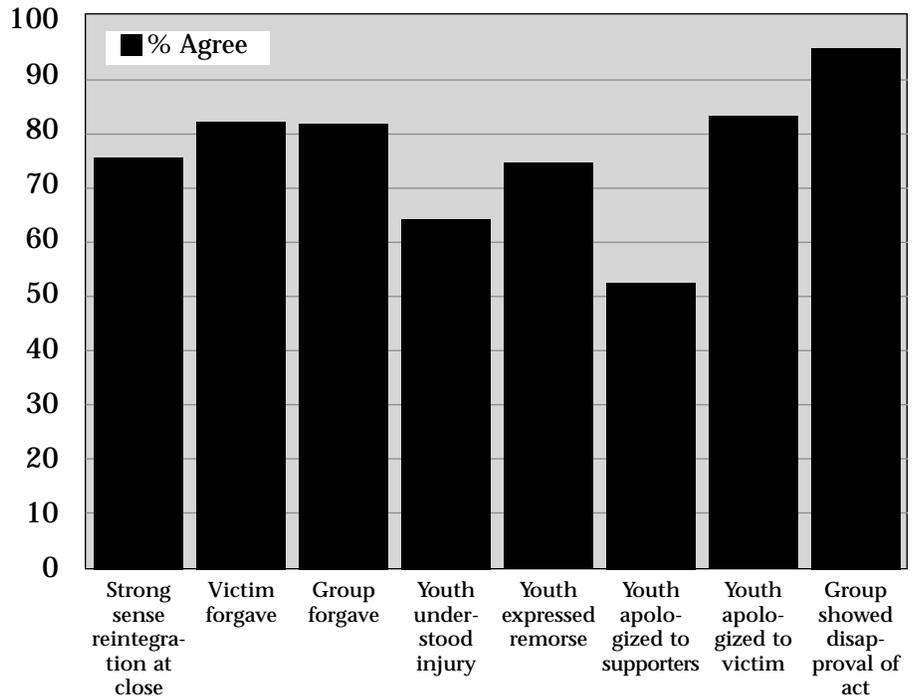
\*This variable was recently included in the observation sheet.

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**

<b>Defiance Shown</b> %	<b>Strongly Agree</b> %	<b>Agree</b> %	<b>Neutral</b> %	<b>Disagree</b> %	<b>Strongly Disagree</b>	<b>Total N</b>
By Youth	2	12	10	24	52	154
By Victim	0	4	7	27	62	150
By Youth Supporter	1	4	8	27	60	155
By Victim Supporter	0	1	30	22	47	144

Figure 5  
Expressions of Shame, Apology, and Acceptance of Offender  
(based on observations)



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).

Table 9  
General Observations of Conference Process

General Observations	Strongly Agree %	Agree %	Neutral %	Disagree %	Strongly Disagree %	Total N
Group Appointed Person to Hold Youth Accountable	28	56	7	6	3	149
All Participants Signed Reparation Agreement	100	0	0	0	0	157
Victim Satisfied with Conference Outcome	25	61	11	1	2	150
Positively Rate Overall Conference	29	48	18	3	2	157

**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

Element	Percentage of Time Element Was Included in Reparation Agreement
Apology	62%
Monetary	42%
Personal Service	36%
Community Service	24%
Other	57%

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.<sup>7</sup> 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.

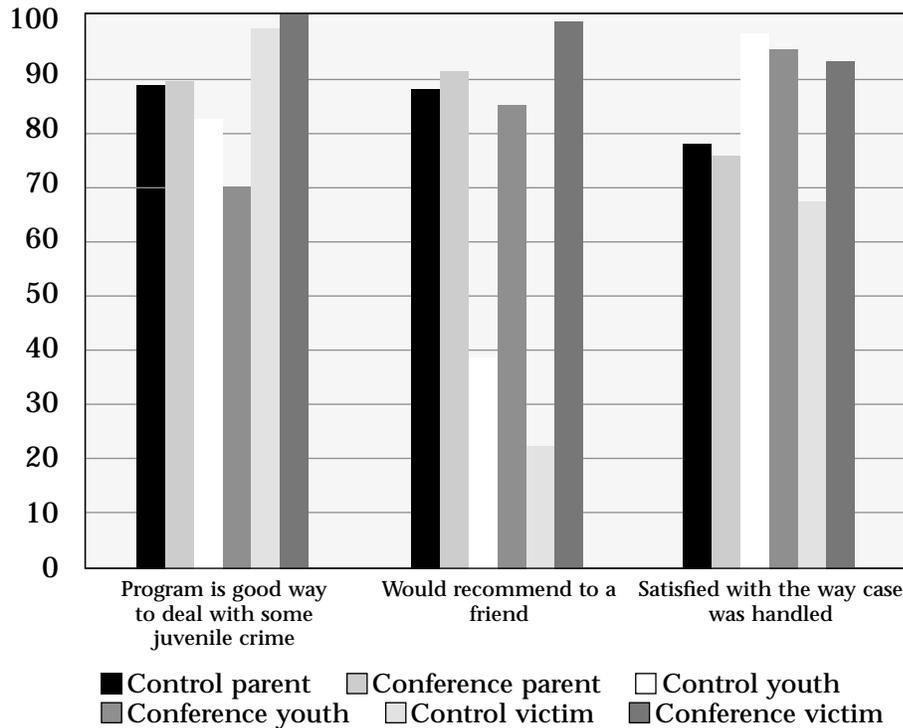
**Satisfaction.** Figure 6 presents the results of a question that asked participants how satisfied they were with the way in which the case was handled. The most significant difference was for victims. Over 90 percent of victims in conferenced cases either strongly agreed or agreed that they were satisfied. 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

<sup>7</sup> 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).

Figure 6  
Reported Satisfaction (%)



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 (%)

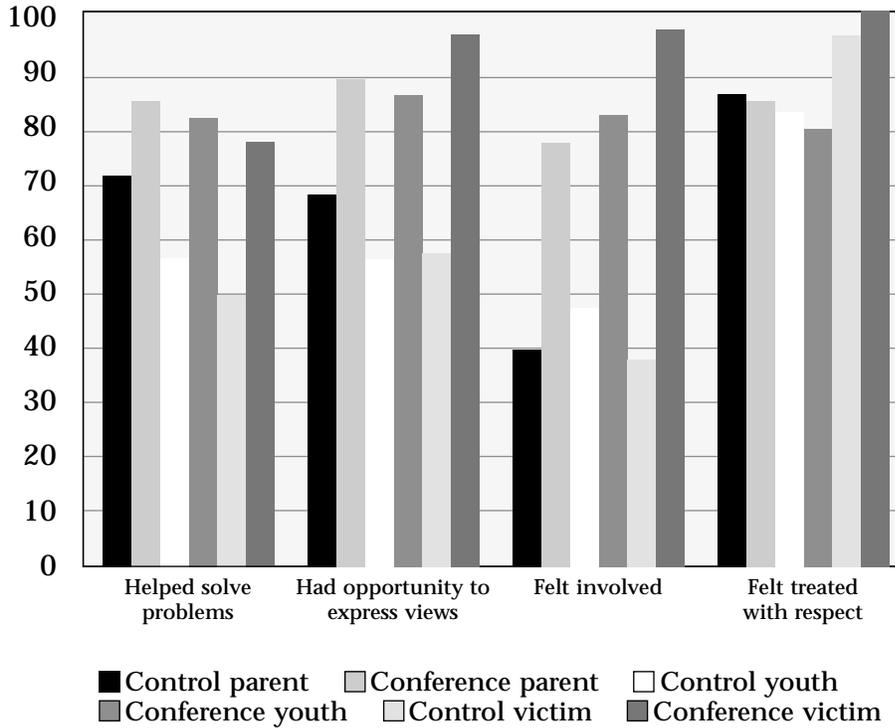


Table 11  
Perception of the Outcome

	Much too lenient		Somewhat lenient		Fair		Somewhat severe		Much too severe	
	N	%	N	%	N	%	N	%	N	%
Conferenced Victim	4	10	11	26	27	64	0	0	0	0
Control Victim	1	2	6	12	43	86	0	0	0	0
Conferenced Youth	1	2	8	15	39	75	3	6	1	2
Control Youth	3	6	8	17	32	68	4	8	0	0
Conferenced Parent	2	4	15	29	32	62	3	6	0	0
Control Parent	0	0	2	10	33	70	4	8	0	0

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**

Group	Completed		Failed to Complete		Totals
	N	%	N	%	
Restorative Justice	138	83	29	17	167
Control Group	97	58	71	42	168
Totals	235	70	100	30	335

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**

Reason	RJ Group		Control Group		Totals	
	N	%	N	%	N	%
Completed Diversion Program	138	83	97	58	235	70
Re-Arrested Prior to Conference/Diversion Program	11	7	4	2	15	4
No Show	4	2	1	.7	5	2
Waived	1	.5	26	15	27	8
Moved out of State	5	3	0	0	5	2
Refused to Complete	1	.5	2	1.3	3	1
Unable to Contact	2	1	0	0	2	1
Failed	5	3	10	6	15	4
Reason Unknown	0	0	28	17	28	8
Total	167	100	168	100	335	100

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**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\*

Group	Contact with Court		No Contact with Court		Totals
	N	%	N	%	
Restorative Justice	34	20.4	133	79.6	167
Control Group	57	33.9	111	66.1	168
Totals	91	27.2	244	72.8	335

\*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\*

Diversion Program Completed	Contact with Court		No Contact with Court		Column Totals	
	N	%	N	%	N	%
Restorative Justice	17	12.3	121	87.7	138	100
Control Group	22	22.7	75	77.3	97	100
Row Totals	39	16.6	196	83.4	235	100

\*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\***

Group	Contact with Court		No Contact with Court		Totals	
	N	%	N	%	N	%
Restorative Justice	40	30.8	90	69.2	130	100
Control Group	54	41.2	77	58.8	131	100
Totals	94	36.0	167	64.0	261	100

\*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.<sup>8</sup>

**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-

<sup>8</sup> 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.

Control 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 was 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.



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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







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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.

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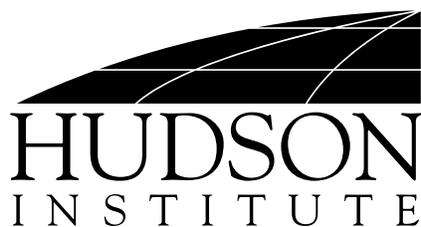
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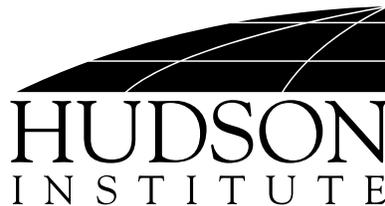


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ISBN 1-55813-072-1  
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Printed in the United States of America.



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