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## The promise of restorative justice: An outcomes evaluation of an Orange County Victim Offender Reconciliation Program, with focus on the victim's perspective

Charlaine Annette Cecilia White

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THE PROMISE OF RESTORATIVE JUSTICE:  
AN OUTCOMES EVALUATION OF AN ORANGE COUNTY VICTIM OFFENDER  
RECONCILIATION PROGRAM, WITH FOCUS ON  
THE VICTIM'S PERSPECTIVE

---

A Thesis  
Presented to the  
Faculty of  
California State University,  
San Bernardino

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts  
in  
Criminal Justice

---

by  
Charlaine Annette Cecilia White

June 2000

THE PROMISE OF RESTORATIVE JUSTICE:  
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Charlaine Annette Cecilia White


June 2000

Approved by:

  
Dr. Pamela Schram, Chair, Criminal Justice

7 June 2000  
Date

  
Dr. Dale Sechrest

  
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## **ABSTRACT**

Victim-offender reconciliation programs (VORPs), the hallmark of the restorative justice movement, offer an alternative to the retributive approach to crime. These programs seek to bring the victim and offender together for purposes of working out a mediated settlement agreement. Most offenders participate in VORP instead of being processed through the traditional juvenile or adult criminal justice system.

Through the VORP process, and the fulfillment of the resultant settlement agreement, the offender is intended to be reconciled not only with the victim, but with the community at large. Restorative justice proponents hypothesize that participation in a VORP is indicative of an offender's willingness to accept responsibility for his or her crime and his or her motivation to change, leading to hope of reduced recidivism for participants.

Participation by victims in VORP is intended to involve them more fully in the criminal justice process, by addressing their needs and concerns with respect to the crime, helping them to feel less upset about the crime,

less fearful of future victimization, and providing a mechanism for victims to secure compensation for the crime.

This study seeks to determine whether the outcomes of a VORP operating in Orange County, California support the goals of the program and of restorative justice in general. In this study, data obtained from the program's files and responses to a victim satisfaction survey were used to measure outcomes and their indicators. This study also addresses the factors which seem to contribute to program success and victim satisfaction.

## ACKNOWLEDGEMENTS

I would like to extend special thanks to Scott Mather, director of the Orange County VORP, for his kind assistance, and to my thesis committee members for lending their considerable expertise and a critical eye to this work.

This thesis was made possible in part thanks to the unflagging devotion of my "research assistants" Checkers and Valentine, beagles extraordinaire.

My most heartfelt gratitude, however, goes to my wonderful family, especially Mumsy, who worried about my late nights, and Michael, who always waited up. Your love and support are the greatest blessings of all.

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## CHAPTER ONE

### The Problem

#### The Definition of Crime

According to Black's Law Dictionary (1960, p. 444), crime is defined as, "A positive or negative act in violation of penal law; an offense against the State." Criminal cases are typically styled, "The People versus John Doe." As citizens, we have abdicated our responsibility for prosecuting crime in favor of the state. The question that arises, however, is, was the state the one actually harmed by the crime? The answer to that question would be a qualified yes; certainly the state bears some of the crime burden, if only in terms of the monetary cost of prosecution and incarceration, reparation to victims, and restoration of property. In the case of an assault by one person upon another, however, it is difficult to say that the state was personally victimized in that particular event.

This notion, that our traditional approach to the definition of crime neglects the true victims of crime, has given rise to a desire to find new and better ways of

defining crime and healing the wounds it causes. Susan Alford (1997, p. 104) concludes that, "One of the primary problems we face in our communities is that we have grown dependent upon our social institutions to 'solve' crime." In response to a growing dissatisfaction with the focus of the traditional criminal justice system, a theoretical perspective called restorative justice redefines crime as "injuries to victims, communities and offenders" (Van Ness, 1990, p. 9). Restorative justice theorists see crime as harmful to the relationships that comprise communities. These relationships exist between victim and offender, between offender and the society at large, and between all members of the community. Accordingly, restorative justice focuses on solving the problems created by crime, rather than on preventing the crime itself (Zehr & Umbreit, 1982).

### **In Search of Justice**

According to Albert Eglash (quoted in Van Ness, 1990, p. 10), there are three types of criminal justice: "retributive justice based on punishment, distributive justice based on therapeutic treatment of offenders, and restorative justice." The method of criminal justice practiced most widely in the United States today is the

retributive model, wherein a fact finding process determines the guilt or innocence of the offender, there is minimal victim participation, and the offender is a passive participant who receives, at the end of the process, his or her sentence, representing the retribution the offender owes to society in recompense for the crime committed.

The distributive model, which seeks to therapeutically rehabilitate offenders, has fallen victim to the "get tough on crime" movement; few are willing to spend money to rehabilitate offenders when rehabilitation efforts produce unreliable or underwhelming results. Taxpayers and lawmakers focus instead on incapacitating offenders through increasingly harsher penalties for crime (Levrant, Cullen, Fulton & Wozniak, 1999).

Of the three criminal justice models identified by Eglash, only restorative justice requires the active participation of both the offender and the victim. Because restorative justice does not focus on fact finding, but instead on problem solving, it can be argued that restorative justice represents a true paradigm shift in criminal justice thinking; restorative justice approaches the problem of crime from a completely different angle than either the retributive or distributive systems, and

addresses only the effects of crime (Zehr & Umbreit, 1982). Rather than retribution, restorative justice seeks accountability and reconciliation.

While a true conflict obviously exists between these two approaches to the crime problem, it may not be practical to adopt one and omit the other (Harris, 1987). Certainly, there are cases in which the fact finding process is critical, where guilt or innocence hangs in the balance. Likewise, even restorative justice seeks a measure of retribution in the form of restitution paid to the victim as a result of the mediated settlement. Thus, while the conflict between the paradigms of retributive justice and restorative justice continues to be debated, principles of restorative justice have been applied in a limited scope, either in addition to or instead of the retributive system.

### **The VORP Perspective**

The primary vehicle for the application of restorative justice principles is the victim offender reconciliation program, or VORP. Victim offender reconciliation programs stress "making it right" over "making the offender pay" by

bringing the victim and offender together for purposes of working out a mediated settlement agreement.

According to restorative justice theory and the goals of the VORP process, through participation in a VORP and the fulfillment of the mediation agreement, the offender is reconciled not only with the victim, but with the community at large. Many restorative justice proponents hypothesize that participation in a VORP is indicative of an offender's willingness to accept responsibility for his or her crime and his or her motivation to change, leading to hope of reduced recidivism for participating offenders.

Similarly, the victim's participation in the VORP process is intended to produce lasting benefits to the victim, such as an understanding of the crime and the reason or reasons it was committed, a sense of closure regarding the offense, and regaining a feeling of control over his or her life, in addition to the payment of some form of restitution or compensation to the victim (Coates, 1990). Victims are also reported to appreciate the chance that VORP affords them to participate in the criminal justice process and be directly involved in the outcome of the crime (Umbreit & Coates, 1992).

## **Do VORP Outcomes Support Restorative Justice Theory?**

This study will identify and examine the outcomes of a VORP operating in Orange County, California, to determine if they appear to meet the program's goals and the goals of restorative justice. The term "outcomes", as used in this study, means the benefits participants receive as a result of their participation in the program (United Way of America, 1996). The Orange County VORP is founded expressly upon restorative justice goals, thus the outcomes of this program are directly generalizable to the outcomes of restorative justice in general.

The current study takes a balanced view of VORP and tries to examine a wide variety of outcomes. This study also, however, pays particular attention to victim-oriented outcomes and how those outcomes support the restorative justice paradigm.

Specifically, the questions this study seeks to answer are:

- Does the Orange County VORP produce outcomes which support its goals and the goals of restorative justice?



- Who is most likely to benefit from this program or programs like it?
- What are the factors which appear to influence victim satisfaction with the mediation?
- What are the factors which appear to influence program success?

## CHAPTER TWO

### Literature Review

#### The History of Restorative Justice

The concept of restoration is a common theme which emerges in a study of ancient criminal justice systems. When a crime was committed in many ancient cultures, restitution was frequently an important part, if not the primary feature, of the reparation (Hoebel, 1973). Restitution was intended not only to insure that victims received recompense for their damages, but was considered part of the healing process, a step in restoring community peace (Hoebel, 1973). Ancient Hebrew justice, for example, assumed a relationship between the parties affected by crime, "and required a commitment not only to see wrongs addressed, but also to reconcile parties and restore community peace" (Van Ness, 1990, p. 9). Many scholars argue that the emphasis on restoration, however, was lost beginning with the reign of William the Conqueror in England in 1066 (Berman, 1983). This is when "the crown" or "the state" became the injured party when a crime was committed, and the responsibility to mete out punishment

and secure reparation was likewise assumed by the state (Van Ness, 1990). We have followed this English model of retributive criminal justice ever since.

In the 1970s, however, criminal justice practitioners began to search for an alternative to the retributive system (Harding, 1989). Early pioneers in Kitchener, Ontario, Canada drew on Judeo-Christian tradition, specifically the tenets of the Mennonite church, which emphasize pacifism, in their search for a way to repair the damage done by crime (Peachey, 1989).

Ironically, the restorative justice movement began with an early emphasis on a call for restitution or victim compensation, rather than incarceration (Evarts, 1990). Many have criticized restorative justice's roots by reminding its proponents that restitution is simply retribution by another name (Harding, 1989). Nevertheless, the movement grew until its founders began to refer to restorative justice as a new criminal justice paradigm (Van Ness, 1990). Furthermore, restorative justice principles have gained in popularity and now inform criminal justice policy in many jurisdictions (Levrant, et al., 1999). Indeed, the victim offender reconciliation process received

official endorsement by the American Bar Association in 1994 (Bradshaw & Umbreit, 1998).

The restorative justice paradigm is built on three key principles:

- 1) Crime injures victims, offenders and communities; the criminal justice process should repair those injuries.
- 2) Victims, offenders, communities and the government should take an active part in the criminal justice process, as early as possible and to the maximum extent.
- 3) The responsibilities for promoting justice fall on the government to preserve order and the community to establish and maintain peace.

(Van Ness, 1990)

Thus, restorative justice views crime as an interpersonal offense, as well as the violation of social and state-enforced norms (Bradshaw & Umbreit, 1998).

Mark Yantzi, a probation officer in Ontario, Canada, is credited with being one of the first to apply restorative justice principles to the existing justice system; Yantzi approached a judge about allowing two young offenders to meet the victims of their crime face-to-face as part of their probation order (Peachey, 1989). Much to Yantzi's surprise, the judge agreed and ordered the

meetings (Peachey, 1989). Based on their work with a handful of such cases, Yantzi and his co-founder, Dave Worth, in cooperation with the Mennonite Central Committee, organized and developed a program they called the Victim/Offender Reconciliation Project (Peachey, 1989).

### **The VORP Model**

Victim offender reconciliation programs (VORPs), or victim offender mediation (VOM), as it is sometimes called, remain popular today. The Kitchener project and similar projects that evolved contemporaneously in Ohio and Indiana in the early 1970s have been used as models for VORP initiatives across the United States; indeed, such programs can now be found worldwide (Wright, 1989; Zehr & Umbreit, 1982).

The three main goals of victim offender reconciliation programs are:

- 1) Empower victims through direct participation in the criminal justice process; increase opportunity for victim "closure";
- 2) Help offenders realize the human impact of their behavior; and

- 3) Provide an opportunity for offenders to make amends through restitution to victims for their losses.

(Umbreit & Coates, 1992; Umbreit, 1994).

VORPs attempt to accomplish these goals by bringing the victim and offender together to discuss the crime and its effects before a neutral, third party mediator. With the help of the mediator, the victim and offender create a mediation agreement which is intended to "make right" the effects of the crime (Society of St. Vincent de Paul, 1999). Through this process, and the fulfillment of the mediation agreement, it is hoped that the offender is reconciled not only with the victim, but with the community at large.

### **Evaluating Victim Offender Reconciliation Programs**

In the 25 years since the inception of the VORP concept, various studies have examined its impact and effectiveness. The difficulty in measuring VORPs, however, is that each program is uniquely organized and run. Different programs tend to operationalize restorative justice principles in slightly different ways.

Furthermore, some VORPs are victim-oriented, while others focus on reintegration of the offender.

Another significant difference between VORPs is when in the criminal justice process the victim offender reconciliation takes places. In some instances, mediation takes place before and instead of formal adjudication. In other programs, offenders might participate in VORP after conviction but before sentencing, and in still other jurisdictions, VORP might be ordered as part of a probation order or the sentencing process.

Nevertheless, most studies have measured VORP effectiveness according to specific variables, such as willingness by victims and offenders to participate, ability of victims and offenders to reach a settlement agreement, the fulfillment of that settlement agreement, and the recidivism rate of offenders post-participation in the program (Gehm, 1990; Niemeyer & Shichor, 1996; Roy, 1993). These studies have indicated generally positive results for the VORP effort, with modest rates of participation in mediation depending on type of offense, high rates of completion of the mediation agreement, and recidivism rates generally lower than those achieved.

through standard adjudication processes (Nugent & Paddock, 1996; Shichor & Sechrest, 1998).

Some such studies, however, have indicated that restitution programs may be better suited for the first time offender, as repeat offenders participating in the program actually had higher recidivism rates than those not participating in the program (Roy, 1993, 1995). Indeed, the type of offender and offense ideal for referral to this sort of program remains somewhat in contention. While most cases referred to VORPs involve misdemeanor property offenses, shoplifting, simple assaults, and the like, Umbreit and Coates (1993) advocate adapting the mediation process to more serious crimes, such as negligent homicide and vehicular manslaughter. Studies comparing the types of offenses and rates of participation in mediation, however, seem to indicate that higher rates of participation are achieved for less serious crimes (Niemeyer & Shichor, 1996; Shichor & Sechrest, 1998).

Others studies have examined VORP effectiveness from the victim's perspective, looking at victim willingness to participate in a mediation, the victim's satisfaction with the process and perception of "fairness" of the program and its outcome (Gehm, 1990; Umbreit, 1992). Most victim-



oriented studies have revealed a general willingness on the part of the victim to participate in a mediation with the offender, very high levels of satisfaction with the mediation process itself, and appreciation for the opportunity to participate more fully in the criminal justice process (Bradshaw & Umbreit, 1998; Gehm, 1990; Umbreit & Coates, 1993). Many victims further indicate they would be willing to participate in a mediation again if they were revictimized in the future (Umbreit & Coates, 1992).

Despite these generally positive results, however, restorative justice and the victim offender mediation process have attracted some criticism. Much criticism centers on the issue of coercion in getting offenders and, sometimes, victims to participate in the mediation process. Arrigo and Schehr (1998, p. 641), for example, find that mediation is just another form of state authority and that "the focus of VOM is extremely narrow: it addresses the harmful act without attending to the conditions that gave rise to the criminal behavior."

Cullen, et al. (1999) warn of potential unintended consequences of victim offender mediation, such as the use of restorative justice principles to "get tough" by new

methods, and refer to restorative justice as "the corruption of benevolence." In other words, they fear that restorative justice, though well-intentioned, may ultimately cause more harm than good.

Finally, both Arrigo and Schehr (1998) and Levrant, et al. (1999), question whether participation in victim offender mediation is restorative for the offender. Furthermore, Lindner (1996) has suggested that a face-to-face meeting with the offender may actually be traumatic for the victim, rather than restorative, though these concerns do not appear to be based upon any empirical evidence, but instead upon opinion and observation.

Its detractors notwithstanding, the generally positive results attained by victim offender mediation programs and the cost effectiveness of such programs have led to a growing acceptance of VORPs and restorative justice principles, resulting in the proliferation of such programs as part of official criminal justice policy.

## CHAPTER THREE

### Program Description

#### The Orange County Victim Offender Reconciliation Program

##### Overview

The Orange County VORP is one of the largest in the United States, processing over 1,000 cases per year (Shichor & Sechrest, 1998; Society of St. Vincent de Paul, 1999). Begun in 1989, the Orange County VORP is run by the Society of St. Vincent de Paul, a Catholic charities organization, through its Institute for Conflict Management (Society of St. Vincent de Paul, 1999). The Institute for Conflict Management is an umbrella organization which houses three distinct community service programs emphasizing restorative justice principles, including the victim offender reconciliation program (Shichor, Sechrest & Robby, 2000).

##### Funding and Authority

The Orange County VORP is funded primarily through the California Dispute Resolution Programs Act (1991), which provides the bulk of its over \$300,000 annual budget (Niemeyer & Shichor, 1996; Shichor, et al., 2000). While

the California Dispute Resolution Programs Act provides crucial funding, it does not authorize VORP programs, per se. Instead, California VORPs generally operate under the authority of Welfare and Institutions Code section 654 which grants law enforcement the ability to divert cases (Niemeyer & Shichor, 1996).

#### Staffing and Volunteers

The Orange County VORP relies heavily on community volunteers to act as mediators. Mediator volunteers come from diverse ethnic and socio-economic backgrounds and are seemingly united only by their willingness to serve. Mediator training, which takes place at and is run by the Institute for Conflict Management, includes 25 hours of classroom training, two hours of orientation, and an apprenticeship with a senior mediator (Society of St. Vincent de Paul). Mediators are supervised by case managers who advise mediators, track cases, and, where appropriate, report mediation results to the referring agency.

In addition to community volunteers, the VORP employs approximately seven full time employees (Shichor, et al., 2000).

VORP program director, Scott Mather, estimates that VORP staff and volunteers devote an average of six hours to each case. Mr. Mather further estimates that the program spends about \$610 in resources per case.

### Referrals

Like many VORPs, the Orange County program acts as a diversion-type program aimed primarily at youthful offenders, meaning that offenders participate in the VORP process instead of having their cases adjudicated through the traditional juvenile justice process. If, for any reason, the mediation process is not successful, offenders' cases will be referred back to the district attorney's office for possible prosecution (Society for St. Vincent de Paul, 1999).

Cases are referred to the Orange County VORP by a variety of agencies throughout the county, including probation, police, other law enforcement agencies such as sheriff's departments, and schools (Society of St. Vincent de Paul, 1999).

Minimum referral criteria which must be met before a case will be accepted for mediation include:

- Victim must be local (Southern California).

- Offender must be in Orange County and must be willing to accept some responsibility for the crime.
- There must be some restitution due or some issue requiring negotiation, such as behavior modification or future intentions.

(Society of St. Vincent de Paul, 1999).

#### The Mediation Process

Once a case has been accepted into the VORP program, a case file is opened and assigned to a suitable mediator. The mediator then makes initial contact with the victim and offender individually, scheduling an in-person appointment with each to explain the program. The offender is typically contacted first and, if he or she agrees to participate, contact is similarly established with the victim. Once both parties have agreed to mediate, a date is set for the mediation.

The purpose of the mediation is to "recognize the injustice, restore the inequity, and clarify future intentions" (Society of St. Vincent de Paul, 1999). The mediation generally follows a three stage plan: opening the mediation, storytelling, and negotiating the agreement. At the opening of the mediation, the parties introduce

themselves and the mediator lays the ground rules for the process. Next, the parties each tell their side of the story, beginning with the victim. The victim is given an opportunity to indicate what it would take to "make it right," and the offender is allowed to respond regarding his or her perspective on the losses suffered by the victim. Finally, with the help of the mediator, the victim and offender create a written agreement specifying exactly what the offender will do and how he or she will do it.

#### Case Follow-Up

Once the mediation is complete and a written agreement is in place, VORP case managers monitor the case with regard to payment of restitution or satisfaction of other terms of the agreement. A report is sent to the referring agency. Finally, when all the terms of the agreement have been met, the case is closed and the referring agency is notified.

## CHAPTER FOUR

### Methodology

This study explores program operations of the Orange County VORP and specifically examines characteristics of offenders, victims, types of offenses, issues related to mediation agreements and the fulfillment of the terms of those mediation agreements, recidivism among the offenders, and victim satisfaction with mediation.

This study further examines specific program outcomes of the Orange County VORP to see if they support the stated goals of the program and the goals of restorative justice in general. As previously stated, particular attention is paid to victim-oriented outcomes.

#### Subjects

The data analyzed in this study came from two sources: the VORP database maintained by the Society of St. Vincent de Paul (hereafter referred to as the "VORP database"), and data obtained from a survey designed by Mark Umbreit, a restorative justice advocate and researcher, and administered to a sample of victims who participated in the Orange County VORP (hereafter referred to as the "victim survey"). A copy of the survey is attached in Appendix A.



With respect to the VORP database, the sample used here was limited to 165 offenders who were referred to the VORP between January 1, 1997 and June 30, 1999. These 165 offenders were selected for study because their cases had reached a closed status during the study time period. In some instances, however, a single offender was responsible for numerous offenses, thus the number of offenses studied is higher than the number of offenders. The total number of offenses being studied is 318.

The VORP database contains a variety of background information about each offender, victim, and offense that is referred for mediation, such as the date of offense, gender of the offender, type of offense, date on which the case was referred to VORP, gender or type of victim, etc. This sort of background data comprise independent variables. The database also contains information about the mediation itself, such as whether or not it was completed, the outcome of the mediation, and whether or not the terms of the mediation agreement were met. Mediation data generally represent dependent variables.

With respect to the victim survey data, the sample is comprised of 38 cases which were mediated between April and August, 1999. There is no relation between the VORP

database cases and the victim survey cases. The victim survey contains a total of 37 Likert-type questions regarding the mediation experience, and an additional five questions regarding the type of crime committed and personal information about the victim. The victim survey was administered only to victims, and was mailed to them after participating in the mediation; the data to be studied was obviously obtained only from those victims who chose to complete and return the survey. While an exact return rate is not available, it appears that the percentage of completed surveys returned is rather low, below 10%.

#### Program Goals and Strategies

The first step in performing an outcomes evaluation is a thorough examination of the program design and activities to identify the outcomes to be measured. The official mission statement of the Orange County Institute for Conflict Management identifies numerous goals of both the program and of restorative justice. Some of those goals include:

### Program Goals

- Provides a process which helps to get the facts straight, recognizes the injustice done, provides for an expression of feelings, and assists the parties in reaching an agreement.
- Allows parties to a dispute to resolve the problem and address important emotional and relationship concerns.
- Provides an opportunity for victims of a crime to reassert control of their lives.
- Provides an effective way for victims of a crime to obtain restitution for losses.
- Makes criminal offenders directly accountable to their victims.
- Gives criminal offenders a chance to see the human consequences of their crime and to work to make things right.
- Clarifies future intentions and relationships.
- Provides for closure for all of the parties.
- Can serve important community interests.

These goals, at first glance, seem lofty and difficult to measure, but translating some of them into measurable outcomes yields a more manageable research design. These goals have been refined into the following specific outcomes to be measured:

### Outcomes to Be Measured

1. Offender sees human consequences of his crime.
2. Offender fulfills terms of restitution plan.
3. Offender avoids further participation in illegal activities; reduced recidivism (in a 12 month period).<sup>1</sup>
4. Victim feels well prepared for the mediation.
5. Victim is satisfied with the results of the mediation.
6. Victim would participate in such a program again in the future or would recommend it to others.
7. Victim approves of referral of the case to mediation.
8. Victim feels "justice" was done.
9. Victim views the criminal justice process more favorably.
10. Victim's fears, concerns, feelings re: the crime are addressed.
11. Victim receives compensation for crime.
12. Victim feels less threatened by the crime and more in control of his/her life.

In studying outcomes, it is helpful to create a logic model which offers a graphic representation of the program inputs, activities, and outputs which are believed to

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<sup>1</sup>The term "recidivism" refers to the commission of new crimes by offenders after their release from some form of corrective action by the state, be it incarceration at a

support the outcomes being studied (United Way of America, 1996). Program inputs are the resources provided by the program; program activities are what the program actually does with the inputs to meet its goals; program outputs are the direct product of program activities (United Way of America, 1996). The outcomes, therefore, are the benefits realized to program participants as a result of the inputs, activities, and outputs. The two page logic model attached as Appendix B summarizes the specific outcomes this study will measure and their relation to the program inputs, activities, and outputs.

The primary strategy used by the Orange County VORP to achieve these outcomes is the victim offender mediation itself, though preparation of both victim and offender by the mediator also contributes. Therefore, the program activities and outputs identified in the logic model comprise the chief strategies in use at the Orange County VORP.

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jail or prison, participation in a work-release program, or simply probation in lieu of incarceration.

## Outcome Indicators

In order to measure outcomes, specific indicators must be identified and relied upon to show if an outcome has been achieved. Table 1 depicts the 12 outcomes to be studied and the indicators which will be used to measure those outcomes.

Table 1. Outcomes and their Indicators

| Outcome  | Indicator  |
|--|--|
| 1. Offender sees human consequences of his crime   | Number and percent of offenders who exhibit understanding of the impact of the crime upon the victim.                            |
| 2. Offender fulfills terms of restitution plan.  | Restitution payment made/letter of apology written/community service completed, etc.   |
| 3. Offender avoids further participation in illegal activities; reduced recidivism.                | Number and percent of offenders who do not come in contact with law enforcement in 12 month period following completion of VORP. |
| 4. Victim feels well prepared for the mediation.   | Number and percent of victims who report being well prepared and were comfortable with the mediation process.                    |
| 5. Victim satisfied with results of mediation.   | Number and percent of victims who report satisfaction with various aspects of the VORP process.                                  |
| 6. Victim would participate in such a program again in the future or would recommend it to others. | Number and percent of victims who report they would participate again or recommend program.                                      |
| 7. Victim approves of referral of the case to mediation.   | Number and percent of victims who report satisfaction with this method of handling their case.                                   |

| Outcome  | Indicator  |
|--|--|
| 8. Victim feels "justice" was done.  | Number and percent of victims who feel offender was held adequately accountable; report satisfaction with mediation agreement.   |
| 9. Victim views the criminal justice process more favorably.                       | Number and percent of victims who report a feeling of being able to participate more fully in the criminal justice process; feel the criminal justice system is "responsive" to their needs. |
| 10. Victim's fears, concerns, feelings re: the crime are addressed.                | Number and percent of victims who report being able to express feelings and needs in mediation.  |
| 11. Victim receives compensation for crime.  | Number and percent of offenders who make restitution payments or complete other terms of the mediation agreement.  |
| 12. Victim feels less threatened by the crime and more in control of his/her life. | Number and percent of victims who report feeling less vulnerable, upset, and likely to be victimized in future.  |

Please note that the logic model in Appendix B provides not only the outcomes, but also the specific data source from which the indicators for each outcome are derived.

## CHAPTER FIVE

### Analysis of Data

#### The Victims, Offenders and Offenses

##### The VORP Database

As previously indicated, the total number of offenders in the database was 192. Of these, however, only 165 offenders' cases were selected for study because 27 of the 192 offenders' cases were not yet closed at the time the data was compiled.

The offenders ranged in age from approximately 8.5 years to approximately 44.5 years. They came from a variety of ethnic backgrounds, reflecting the diverse ethnic populations of Orange County, though the majority of offenders was Caucasian or Hispanic.

Table 2 shows a crosstabulation of offender ethnicity by offender age at the time of offense. The results were not statistically significant at the .05 level ( $p=.247$ ).



Table 2. Age of offender/Ethnicity crosstabulation

| Age of offender<br>at time of<br>offense | Offender's ethnicity |                |               |             |            | Total        |
|--|----------------------|----------------|---------------|-------------|------------|--------------|
|  | Cauca-<br>sian       | Afr.-<br>Amer. | His-<br>panic | Asian       | Other      |              |
| Less than 12                             | 11<br>6.8%           | 3<br>1.8%      | 8<br>5.0%     | 0           | 0          | 22<br>13.7%  |
| 12 to 15                                 | 52<br>32.5%          | 9<br>5.6%      | 20<br>12.5%   | 18<br>11.2% | 9<br>5.6%  | 108<br>67.5% |
| 16 and over                              | 16<br>10.0%          | 1<br>.62%      | 6<br>3.7%     | 4<br>2.5%   | 3<br>1.8%  | 30<br>18.7%  |
| TOTAL                                    | 79<br>49.3%          | 13<br>8.12%    | 34<br>21.2%   | 22<br>13.7% | 12<br>7.5% | 160<br>100%  |

Most offenders were male (N=123), while 42 offenders were female.

They had been referred to VORP for an array of offenses such as vandalism, shoplifting, assault, burglary, petty theft, etc. For statistical purposes, these offenses were classified into four categories: non-utilitarian (e.g., vandalism, malicious mischief etc.), utilitarian-major (e.g., car theft, grand theft, etc.), utilitarian-minor (e.g., petty theft, shoplifting, etc.), and person (e.g., assault, battery, etc.). The 165 offenders were actually responsible for 318 offenses, since some offenders had committed more than one crime during the offense. For example, an offender who got caught on a shoplifting

"spree" might have actually committed several crimes, but receives only one referral to VORP to mediate all the crimes at the same time.

Table 3 is a crosstabulation of offense type by offender gender. Female offenders were responsible for many more utilitarian-minor offenses than their male counterparts, while the male offenders were fairly evenly spread between the offense types, combining the two types of utilitarian offenses. The observed relationships between gender and type of offense appear to be significant ( $X^2=133.480$ ,  $p=.000$ ).

Table 3. Type of offense/Offender gender crosstabulation

| Type of offense |                   | Offender's gender |        | Total |
|-----------------|-------------------|-------------------|--------|-------|
|                 |                   | Male              | Female |       |
|                 | Non-utilitarian   | 66                | 2      | 68    |
|                 | Utilitarian-minor | 42                | 98     | 140   |
|                 | Utilitarian-major | 29                | 8      | 37    |
|                 | Person            | 68                | 5      | 73    |
| Total           |                   | 205               | 113    | 318   |

Finally, a comparison of offender age and type of offense shows that the youngest offenders tended to be referred for person crimes, while older offenders tended to be referred for utilitarian-minor offenses. Table 4 sets

forth these results. The relationships shown here do appear to be significant ( $X^2=22.480$ ,  $p=.001$ ).

Table 4. Age of offender/Type of offense crosstabulation

| Age of offender | Worst type of recidivism offense |                   |                   |        | Total |
|-----------------|----------------------------------|-------------------|-------------------|--------|-------|
|                 | Non-utilitarian                  | Utilitarian-minor | Utilitarian-major | Person |       |
| Under 12        | 2                                | 2                 | 5                 | 13     | 22    |
| 12 to 15        | 22                               | 48                | 11                | 27     | 108   |
| 16 and over     | 7                                | 16                | 4                 | 3      | 30    |
| Total           | 31                               | 66                | 20                | 43     | 160   |

#### The Victim Survey

While most victims who returned surveys answered all the Likert-type questions, not all victims chose to answer the last five questions which provide personal information about the victims. Also, the last five questions did not apply to every victim, as some victims were businesses or public entities like schools or fire districts. Of the 38 victims who responded to the survey, 27 were individuals and five were businesses or public entities. Six victims did not provide this information.

Of the individual victims who provided personal information, 20 were male, 10 were female, and 8 did not

respond. A large number of the victims, 7 (18.4%), had completed an undergraduate degree, and 10 of them (26.3%) had obtained a graduate degree. This seems to be in line with the rather high reported annual household income of the victims, with 31.6% of respondents reporting income of \$75,000 or more.

The type of offense was broken down into three broad categories, similar to the breakdown used in the VORP database analysis: utilitarian crimes, non-utilitarian crimes, and crimes against persons. No differentiation was made between utilitarian-minor and utilitarian-major offenses, however, because the offense information provided by the victims was generally not specific enough to allow an accurate classification to be made.

Non-utilitarian crimes made up the majority of the offenses represented in the victim survey, with 10 offenses falling into this category. Nine offenses could be classified as utilitarian, and five were offenses against persons. On 14 surveys, however, there was no indication of the type of crime.

A comparison of the type of crime with the age of the victim yields the results reported in Table 5. This analysis indicates that nearly all the victims of crimes

against persons were under the age of 20, while middle-aged adults made up the majority of victims of non-utilitarian crimes. Because of the small number of respondents, however, a Chi-square analysis was not appropriate.

Table 5. Type of offense/Victim's Age crosstabulation

| Type of offense | Victim's age |          |          |          |          |             | Total |
|-----------------|--------------|----------|----------|----------|----------|-------------|-------|
|                 | Under 20     | 20 to 20 | 30 to 39 | 40 to 49 | 50 to 59 | 60 or older |       |
| Non-utilitarian | 0            | 2        | 3        | 2        | 1        | 1           | 9     |
| Utilitarian     | 0            | 1        | 3        | 2        | 1        | 1           | 8     |
| Person          | 4            | 0        | 1        | 0        | 0        | 0           | 5     |
| Total           | 4            | 3        | 6        | 5        | 2        | 2           | 22    |

Finally, Table 6 provides a distribution of offense by gender, indicating that more male respondents were victims of crimes against persons, while more female respondents were victims of non-utilitarian and, therefore, less serious crimes. Again, no Chi-square analysis was performed due to the small number of respondents.

Table 6. Type of offense/Victim gender crosstabulation

|                 |                 | Victim's gender |        | Total |
|-----------------|-----------------|-----------------|--------|-------|
|                 |                 | Male            | Female |       |
| Type of offense | Non-utilitarian | 4               | 6      | 10    |
|                 | Utilitarian     | 4               | 4      | 8     |
|                 | Person          | 5               |        | 5     |
| Total           |                 | 13              | 10     | 23    |

## Mediation Completion

Before addressing the outcomes and their indicators, it is helpful to first look at the rate at which mediations were completed. Obviously, if mediations are not completed, there can be no restitution agreements and no outcomes to measure. Therefore, programs like VORP want to maximize the number of cases which complete mediation. The VORP database provided the data for this analysis.

Looking at the data by incident, rather than by offender, mediation or conciliation had been completed in 207 of the 318 offenses at the time this data was compiled. No agreement was reached for 111 offenses. These figures correspond to 195 offenders who completed mediation and 35 who did not. Thus the rate of completion of the mediation process was 65% by offense, and 73% by offender.

Comparing offenders' status in mediation with the type of offense yielded significant results, as can be seen in Table 7 ( $X^2=10.080$ ,  $p=.018$ ). The offenders who committed person crimes were least likely to complete mediation, with 43% of the person offenses not reaching mediation. Non-utilitarian offenses had the next worst rate of mediation completion, 41.8%.

Table 7. Status in mediation/Offense type crosstabulation

| Status in mediation process | Offense type    |                   |                   |             | Total        |
|-----------------------------|-----------------|-------------------|-------------------|-------------|--------------|
|                             | Non-utilitarian | Utilitarian-minor | Utilitarian-major | Person      |              |
| Mediation/conciliation      | 39<br>12.3%     | 105<br>33.1%      | 25<br>7.9%        | 41<br>12.9% | 210<br>66.2% |
| No agreement                | 28<br>8.8%      | 35<br>11.0%       | 12<br>3.8%        | 32<br>10.1% | 107<br>33.7% |
| Total                       | 67<br>21.1%     | 140<br>44.2%      | 37<br>11.7%       | 73<br>23.0% | 317<br>100%  |

Interestingly, comparisons of mediation status with other variables, like whether or not the offender had any prior offenses, the prior offense type, offender ethnicity, and the age of the offender at the time of the offense yielded no significant results.

Finally, I also examined the amount of time from the offense to the mediation to see if the length of time had any relationship with whether or not a mediation was completed. The average number of days from the offense to the mediation was 177. Most offenses took between 151 and 200 hundred days to mediate. Interestingly, the highest number of cases which did not reach a mediation agreement, 10, also took between 101 and 200 days to mediate. These results, however, were not statistically significant.

## Outcomes Evaluation

### 1. Offender sees human consequences of his crime.

As noted in the logic model in Appendix B, the indicators for this outcome are the responses to victim survey questions 23 and 24. Again, a copy of the victim survey is attached in Appendix A. While it would be optimal to ask the offenders this question directly, these two questions on the victim survey provided the only available data on offender reaction to the mediation process.

The majority of respondents, 65.8%, indicated that the offender seemed sorry for crime. Only two respondents indicated that the offender did not seem sorry at all.

An even higher number of respondents (68.5%) indicated the offender showed some understanding of the impact of the crime upon the victim's life.

### 2. Offender fulfills terms of restitution plan.

Data for this outcome came from the program database. Of the 318 offenses mediated at VORP, 111 did not reach an agreement, and the file was eventually closed. Reasons for why an agreement was not reached are not indicated by the data. Most offenders (N=207) completed the mediation or



conciliation process, resulting in a mediation agreement/restitution plan. The types of contracts that resulted varied according to the offense, but included such requirements as paying restitution, writing letters of apology, attending peer groups, performing community service, or completing community programs.

Forty-six offenders agreed to perform community service. At the time these data were compiled, the offenders had performed approximately 2,602 hours of community service; 870 hours remained to be done. Only 18 offenders had yet to complete their community service hours at the time these data were compiled. Thus, approximately 60% of the offenders had fulfilled the community service portion of their agreement at the time these data were gathered.

With regard to restitution, 103 offenders agreed to make restitution payments. The amounts to be paid ranged from \$5 to \$4000, and totaled \$55,075. At the time these data were compiled, \$14,609 (26.5%) of this total had been paid. Table 8 shows a break-down of the amounts of restitution paid. While it would seem likely that smaller restitution amounts would be paid first, these numbers do not bear that assumption out.

Table 8. Restitution paid to date

|              |               | Freq. | %    |
|--------------|---------------|-------|------|
| Amounts paid | \$8 to \$99   | 15    | 4.7  |
|              | \$100 or more | 37    | 11.6 |
| Total        |               | 52    | 16.4 |

With regard to the other activities required by the restitution agreements, no information is available in the database to determine if letters of apology were written or if community programs were completed.

3. Offender avoids further participation in illegal activities; reduced recidivism.

In order to measure this outcome, the Orange County Probation Department ran a computer search of the names of the VORP offender participants to see if any of the offenders had come into contact with law enforcement in the 12 months since completing the VORP program. The results of that search were then added to the program database.

Sixteen offenders had at least one offense before being referred to VORP, producing a pre-VORP offense rate of 9.67%. Nineteen of the 165 offenders re-offended after their participation in VORP. This gives us a post-VORP

recidivism rate of 11.6%. It should be noted, however, that 11 of those who reoffended after referral to VORP had failed to complete a mediation or reach a conciliation agreement. These results, displayed in Table 9, are significant ( $X^2=11.026$ ,  $p=.012$ ).

Table 9. Status in mediation process/Worst type of recidivism offense crosstabulation

| Status in mediation process | Worst type of recidivism by type of offense |                   |        |                   | Total |
|-----------------------------|---|-------------------|--------|-------------------|-------|
|                             | Non-utilitarian                             | Utilitarian-major | Person | No post-VORP off. |       |
| Mediation/conciliation      | 1   | 2                 | 5      | 107               | 115   |
| No agreement                | 4   | 4                 | 3      | 38                | 49    |
| Total                       | 5   | 6                 | 8      | 145               | 164   |

Though the number of offenders who committed crimes after participation in VORP was higher than the number who had offenses prior to being referred to VORP, it is also interesting to compare the type of offenses committed prior to and after VORP participation. Of the four offenders who had committed person crimes before referral to VORP, only one reoffended, and that offender's new offense was a

utilitarian-major-type crime. A similar result was seen for the seven offenders who had committed utilitarian-major offenses prior to VORP. Of these, only three reoffended: one committed a utilitarian-major offense, one committed a non-utilitarian offense, and one committed a person offense. With such low offense numbers, it is difficult to see a pattern, but Table 10 helps illustrate these results ( $X^2=43.750$ ,  $p=.000$ ).

Table 10. Pre-VORP offense type/Worst type of recidivism offense crosstabulation

| Pre-VORP offense type | Worst type of recidivism offense |                   |        |                   | Total |
|-----------------------|----------------------------------|-------------------|--------|-------------------|-------|
|                       | Non-utilitarian                  | Utilitarian-major | Person | No post-VORP off. |       |
| Non-utilitarian       | 2                                | 0                 | 0      | 2                 | 4     |
| Utilitarian-major     | 1                                | 1                 | 1      | 4                 | 7     |
| Person                | 0                                | 1                 | 0      | 3                 | 4     |
| No offense            | 2                                | 4                 | 7      | 134               | 147   |
| Total                 | 5                                | 6                 | 8      | 143               | 162   |

4. Victim feels well prepared for the mediation.

The answers to victim survey questions 2, 4, 5, and 6 provide the indicators for this outcome. Overall, the majority of victims reported being very satisfied with the way they were prepared for the mediation.

In response to question 2, which asks about victim overall satisfaction with the preparation, 21 respondents (55.3%) report being "very satisfied", while only one respondent indicated indifference or mild dissatisfaction.

Question 4, which asks whether the mediator clearly explained how the meeting with the offender would be conducted, generated similar responses. Twenty-four (63.2%) indicated that yes, the mediator definitely explained the mediation process clearly. Only one respondent did not feel that the mediator explained the process clearly.

When asked if the victims understood that the mediation was clearly voluntary in question 5, the majority of victims (73.7%) responded "yes, definitely." Again, only one victim did not feel that the mediator made it clear that participation was voluntary.

Finally, question 6 asked victims how well prepared they were for the mediation. Many respondents (13 or 34.2%) indicated they were "very well prepared." Twelve respondents (31.6%) indicated they felt "somewhat prepared." Interestingly, only two respondents reported feeling "somewhat unprepared," but eight respondents felt "very unprepared." In light of the very positive responses

to the previous questions about how well the mediator prepared the victim, this number of "very unprepared" responses is surprising. It could be that this question is measuring not how well the mediator prepared the victim, but how prepared to meet the offender the victim felt in general (irrespective of the efforts of the mediator).

5. Victim is satisfied with the results of the mediation.

Indicators for this outcome were provided by responses to victim survey questions 7 and 26.

Question 26 asks how satisfied the victim was with the outcome of the mediation. Here, 17 (44.7%) of the respondents report feeling "mostly satisfied." The next largest group consisted of 11 victims (28.9%), who indicated they were "very satisfied."

Question 7 asks how satisfied the victim was with the overall experience in the VORP. Again, 17 respondents (44.7%) reported feeling "mostly satisfied." Only two respondents indicated they were "quite dissatisfied," and two reported feeling "indifferent or mildly dissatisfied."

6. Victim would participate in such a program again in the future; would recommend it to others.

Questions 8, 20, and 29 of the victim survey served as the indicators for this outcome. The majority of victim responses offer support for this outcome, though there is cautious support for willingness to participate in the event of victimization in a more serious crime.

Question 8, which asks if victims would recommend VORP to other victims of similar crimes, generated positive responses. Eighteen victims would "definitely" recommend the program, 15 would "generally" recommend it, only one would "not really" recommend it, and one would "definitely not" recommend the program.

Question 20 asks whether the victims would participate in VORP again if they became victims of a similar crime. Of the 34 respondents, 15 would "definitely" participate again, 17 would "generally" want to participate again, one would "not really" want to participate again, and one would "definitely not" participate again.

Question 29, which acts as a follow-up to question 20, inquires whether victims would again participate in a VORP if they were victims of a more serious crime. The crime of

sexual assault is specifically excluded from the question. Fourteen victims (36.8%), indicated they would "generally" be willing to participate if they were victims of a more serious crime. The next largest group consisted of eight victims who indicated that they would "not really" wish to participate. Six respondents (15.8%) indicated they would "definitely not" participate. One respondent placed his answer somewhere between "no, not really" and "yes, generally." By these responses, victims seem to be indicating that they would feel less comfortable mediating a more serious crime. Even though the largest percentage group (44.7%) of respondents would participate again, 36.9% of the respondents obviously would not feel comfortable doing so. This margin is clearly narrower than that observed in response to question 20, which involves participation after a similar crime, rather than a more serious one.

7. Victim approves of referral of the case to mediation.

Only question 25 of the victim survey addresses this outcome. That question asks how satisfied the victim was with the justice system's decision to refer the case to



mediation. As Table 11 indicates, the majority of respondents report being "very satisfied."

Table 11. Are victims satisfied with referral of case to mediation?

|           |                                    | Frequency | %    |
|-----------|------------------------------------|-----------|------|
| Responses | Quite dissatisfied                 | 3         | 7.9  |
|           | Indifferent or mildly dissatisfied | 1         | 2.6  |
|           | Mostly satisfied                   | 10        | 26.3 |
|           | Very satisfied                     | 21        | 55.3 |
| Total     |                                    | 35        | 92.1 |

8. Victim feels justice was done.

Measuring the abstract concept of "justice" presents a challenge. Questions 12, 13, 14, and 30 focused on whether or not victims felt justice had been done through the mediation process. These questions center on victim satisfaction with the agreement and sense of fairness.

Question 12, which asks if the victim was satisfied with the agreement, produced a majority (20 or 52.6%) of "very satisfied" responses. Eleven respondents were "mostly satisfied," three respondents were "indifferent or mildly dissatisfied," and only one respondent was "quite dissatisfied."

Questions 13 and 14 focus on the victim's sense of how fair the agreement is, both to the victim and to the offender. Interestingly, both questions produced similar responses. For each question, a large majority of respondents indicated the agreement was fair, either "definitely" or "generally." Most respondents (78.9%) felt the agreement was fair to them, and 86.8% felt the agreement was fair to the offender.

Finally, question 30 of the victim survey asked victims if they believed the offender was adequately held accountable for their crime. Table 11 reflects their responses, in which most (73.6%) indicated that yes, the offender was adequately held responsible.

Table 12. Was offender adequately held responsible for the crime?

|           |                    | Frequency | %    |
|-----------|--------------------|-----------|------|
| Responses | No, definitely not | 3         | 7.9  |
|           | No, not really     | 3         | 7.9  |
|           | Yes, generally     | 17        | 44.7 |
|           | Yes, definitely    | 11        | 28.9 |
|           | Total              |           |      |
| Total     |                    | 34        | 89.5 |

9. Victim views the criminal justice process more favorably.

Two questions from the victim survey served as the indicators for this outcome, numbers 33 and 35.

Question 33 asked victims if they were able to participate more fully in the criminal justice system through their involvement with VORP. Interestingly, 13 respondents (34.2%) indicated "no, not really." Eleven victims responded "yes, generally," and six respondents said, "yes, definitely." The total percentage of "yes" respondents was 44.7%, leaving only a 10.5 point margin between the "yes" responses and the "no" responses. This was surprising since one of the key goals of the mediation process is the empowerment of the victim through participation. Perhaps the respondents to this survey who answered "no" did not perceive VORP as an extension of the criminal justice system or did not understand the term "criminal justice system." It is also possible that these victims had no prior victimization experience and thus did not know what level of participation is the norm in the traditional criminal justice system.

In question 35, the victims were asked whether participation in VORP made the criminal justice system more responsive to their needs. Once again, the responses were narrowly split, with 39.4% of the 33 responding victims reporting that it did not, and 47.3% reporting that it did.

While the majority of victims report a positive view of the criminal justice system, the narrow margins between the positive and negative responses indicate a less than enthusiastic response. Further, the responses to these two questions appear to be correlated ( $X^2=15.295$ ,  $p=.018$ ), however the small sample size of 30 valid cases warrants caution.

10. Victim's fears, concerns, feelings re: the crime are addressed.

The victim survey featured a number of questions which pertained to this outcome, including questions 11, 15, 17, 21, 22, and 32. Except for responses to question 21, the responses were overwhelmingly positive.

In response to question 11, 31 of the 34 respondents felt they had been given sufficient time to talk with the offender. Likewise, in response to question 15, 31 of 36 respondents reported that the mediator was interested in

their needs. Twenty-eight of 33 respondents indicated in response to question 17 that they found it helpful to talk directly with the offender. With respect to question 22, 68.4% of the respondents reported that the meeting with the offender reduced their fear of a crime being committed against someone else by this offender. Finally, in response to question 32, 81.6% of victims indicated that participation in VORP allowed them to express their feelings.

The responses to question 21, however, diverged from this very positive trend. As Table 13 demonstrates, a relatively large percentage of respondents did "not really" feel that meeting the offender reduced how upset they were. While the majority of responses is still positive, the mean score for question 21 was 2.90 out of a possible 4.0, while mean scores for responses to the other questions used as indicators on this outcome were 3.09 and higher on the same 4.0 scale.

Table 13. Did meeting the offender help reduce how upset you were?

|           |                 | Frequency | %    |
|-----------|-----------------|-----------|------|
| Responses | No, not really  | 11        | 28.9 |
|           | Yes, generally  | 13        | 34.2 |
|           | Yes, definitely | 8         | 21.1 |
| Total     |                 | 32        | 84.2 |

11. Victim receives compensation for crime.

As discussed in the analysis of outcome 2, monetary restitution was ordered in the total amount of \$55,075 for these 318 crimes. At the time these data were compiled, 26.5%, or \$14,609, of this total had been paid. Table 14 depicts a breakdown of the amounts of restitution paid by type of offense. Interestingly, non-utilitarian crimes and person crimes seem to be enjoying higher amounts of payments, though these results were not statistically significant.

Table 14. Type of offense/Amount of restitution paid  
crosstabulation.

| Type of offense   | Amount of<br>restitution paid to<br>date |                  | Total |
|-------------------|--|------------------|-------|
|                   | \$8 to<br>\$99                           | \$100 or<br>more |       |
| Non-utilitarian   | 7  | 17               | 24    |
| Utilitarian-minor | 6  | 4                | 10    |
| Utilitarian-major | 1  | 5                | 6     |
| Person            | 1  | 11               | 12    |
| Total             | 15                                       | 37               | 52    |

While the rate of payment of restitution seems low, a handwritten note at the top of one of the victim survey responses provides interesting insight on the subject of victim compensation. In that note, the victim relates that she had participated in the mediation of a crime committed by two offenders, but that one of the offenders had not been referred to VORP. She says:

It has been one year since the crime was committed. The defendant that went through mediation paid me restitution in a timely manner. The second offender went through court-ordered procedures and has failed to pay any restitution . . . . His probation officer says he is remorseful for the crimes he committed and apparently has no intention of paying any of his restitution.

Obviously, this victim is satisfied with the compensation she received for the crime from the offender who participated in VORP.

Unfortunately, there is no information in the database which would allow any determination of the average amount of time it takes for restitution to be paid in full to victims or at what rate offenders fail to pay restitution, in part or in full.

12. Victim feels less threatened by the crime and more in control of his/her life.

Questions 19, 27, and 34 from the victim survey provided indicators for this outcome. Responses to these questions seem to indicate that, while participation in VORP was generally a positive experience, it did not necessarily make them feel less vulnerable or help them to better understand why the crime was committed.

In response to question 19, 50% or 19 of the victims indicated that meeting the offender "generally" helped reduce the fear that the offender would commit another crime against them. Seven respondents (18.4%), however, indicated that no, it did not really help.



Responses to question 27 were especially enlightening, where a majority of the 28 respondents indicated that they did not feel less vulnerable after talking with the offender. Fourteen responded "no, not really," while nine responded "yes, generally" and only three responded "yes, definitely."

This trend continued in response to question 34, where the victims indicated in almost equal numbers that meeting the offender either did not help them better understand why the crime was committed, or that it did help them. Significantly, no one responded that meeting the offender "definitely" helped them better understand why the crime was committed.

Table 15 summarizes the responses to questions 19, 27, and 34. The means are fairly consistent, reflecting the generally positive, but not enthusiastic responses, on a scale of 1 to 4, with 4 being best.

Table 15. Statistics re: responses to victim survey questions 19, 27, and 34

|   | N     |         |        |
|---|-------|---------|--------|
|   | Valid | Missing | Mean   |
| 19. Did meeting reduce fear of another crime?             | 31    | 7       | 2.7419 |
| 27. Do you feel less vulnerable?                          | 28    | 10      | 2.4643 |
| 34. Do you better understand why the crime was committed? | 32    | 6       | 2.3281 |

### Victim Satisfaction with Mediation

As is evident from the literature review chapter, the author of the victim survey used here, Mark Umbreit, has published extensively on the topic of restorative justice and mediation programs. In one particular article, he published the results of a study using the same survey or one very similar to the survey used here (Bradshaw & Umbreit, 1998). A copy of the actual survey from their 1998 study was not provided in the article, but samples of the questions quoted in the article were nearly identical to questions in the instant survey.

In their article, Bradshaw and Umbreit (1998) identified "predictor variables" based upon victim

characteristics and compared them with the "outcome variable" of overall satisfaction with mediation, using regression analysis techniques. They reported, "In order of relative importance, attitude toward the mediator, fairness of the restitution agreement and meeting with the offender accounted for 42% of the variance in satisfaction with mediation" (p. 21).

Further analyses were conducted to determine if similar results could be obtained from the responses to the victim surveys in this study. Because of the small number of respondents, however, and a concern for a large percentage of error, the problem was approached from a slightly different angle than the Bradshaw and Umbreit research. Here, responses to several questions from the victim survey (2, 3, 4, and 10) were combined to create a reliability scale ( $\alpha = .8490$ ). The possible scores on the scale ranged from 4 to 16, with lower scores indicating less satisfaction, and higher scores indicating more satisfaction. The questions selected for inclusion in the scale corresponded to the "predictor variables" identified by Bradshaw and Umbreit. Each of these questions measured a different aspect of the victim's perception of the mediator and how well the mediator prepared the victim. A

one-way analysis of variance (ANOVA) correlation analysis was then conducted between this mediator satisfaction scale and the response to question 7 regarding overall victim satisfaction. Table 16 reflects those results.

Table 16. Summary table for a one-way ANOVA on victim satisfaction with the mediator as a function of overall victim satisfaction.

|                | Sum of squares | df | Mean square | F      |
|----------------|----------------|----|-------------|--------|
| Between Groups | 44.349         | 3  | 14.783      | 3.272* |
| Within Groups  | 135.533        | 30 | 4.518       |        |
| Total          | 179.882        | 33 |             |        |

\*p < .035.

These results do indicate a correlation between the mediator satisfaction scale scores and the overall mediation satisfaction scores. This result does seem to agree with the assertions of Bradshaw and Umbreit though, as I have mentioned before, the low number of respondents in my study is a cause for caution.

Curious to see if any other factors might predict overall victim satisfaction with the mediation, I created two additional scales, one for victim satisfaction with the agreement and one for offender response.

The agreement satisfaction scale, consisting of questions 12, 13, and 30 from the victim survey, produced a reliability coefficient with an alpha of .7950. Possible scores on this scale ranged from 3 to 12, with lower scores indicating less satisfaction and higher scores indicating greater satisfaction. Again, performing a one-way ANOVA yielded significant results, which are presented in Table 17.

Table 17. Summary table for a one-way ANOVA on victim satisfaction with agreement as a function of overall victim satisfaction.

|                | Sum of squares | df | Mean square | F      |
|----------------|----------------|----|-------------|--------|
| Between Groups | 63.395         | 3  | 21.132      | 7.080* |
| Within Groups  | 89.546         | 30 | 2.985       |        |
| Total          | 152.941        | 33 |             |        |

\*p < .001.

The offender satisfaction scale was made up of the two offender-related questions on the victim survey, questions 23 and 24. Together, they created a scale with a strong reliability coefficient (alpha = .9188). Comparing this scale with overall victim satisfaction in a one-way ANJOVA,

however, did not yield significant results ( $F = 1.52$ ;  $p = .233$ ).

Thus, it is fair to say that victim satisfaction with the mediator is correlated with overall victim satisfaction, as is victim satisfaction with the mediation agreement. The victim's perception of the offender's reaction to the mediation, however, does not have a strong relationship with victims' overall satisfaction.

## **CHAPTER SIX**

### **Summary and Conclusions**

The primary purpose of this study was to perform an outcomes evaluation of the Orange County VORP to see if the program is achieving its stated goals. To do this, 12 outcomes were identified based on the program's stated goals, and then related indicators were selected which could be measured to determine if the outcomes were being attained. Analysis of data obtained from the VORP program database and the results of a victim survey yielded results which are generally positive. Most of the indicators supported the outcomes, though to varying degrees.

#### **Summary of Outcomes Observed**

The offender-related outcomes were perhaps the hardest to measure for a variety of reasons. For outcome 1, this study measured whether the offenders saw the human consequences of their crime by the victim's perception of the offenders' reaction. Obviously, this "hearsay" approach is not ideal, but still yielded positive results.

The results observed for outcome 2, fulfillment of the restitution plan, are difficult to interpret because the

restitution plans can call for many different types of restitution. While this customizability is undoubtedly a strength of the program, it does render the results challenging to measure. According to the results I was able to measure, however, I can report generally positive findings. A majority of the offenders who agreed to perform community service had indeed done so. Payment of restitution was proceeding, though only 26.5% of the total restitution ordered had been paid at the time of analysis. It is safe to assume, however, that since compilation of these data, additional sums have been received and victims continue to receive compensation. I do wish, however, that more data on payment of restitution had been available and that I had more time to follow restitution payment patterns. Because most of the offenders are juveniles and may not have jobs or a regular source of income, it is not surprising that payment of restitution would be a slow process.

The recidivism data indicate that, though the actual recidivism rate increased slightly after offenders were referred to VORP, the majority of those offenders who re-offended had not completed the VORP process, i.e., had either not participated in the mediation process or had not



reached a mediation agreement. Additionally, it seems that though the number of post-VORP offenses rose, the severity of those offenses was less than the pre-VORP offenses for the offenders who had successfully completed the mediation.

The data analyzed in this study also largely supported the victim-related outcomes. Most victims felt well prepared for the mediation and gave the mediator high marks for his or her efforts. In a few instances, the victims reported feeling "very unprepared" and I suspect that, because of the other overwhelmingly positive responses on this outcome, these victims were reporting that they felt personally unprepared, though additional probing would be required to get at the heart of this result.

A large majority of the victims also felt satisfied with the results of the mediation and it was interesting to see that certain variables seem to predict overall victim satisfaction with the mediation process.

Most victims would be willing to participate again in VORP and indicate that they would recommend the program to others, but fewer would be willing to participate in the future if they were victimized in a more serious crime. This result seems to contradict that reported by Mark Umbreit, who used positive responses to similar questions

to support his contention that VORPs should be used for more serious crimes. In this study, however, it was clear that only a narrow majority would be willing to participate in VORP in the event of being victimized in a more serious crime in the future, rather than the overwhelming majority seen on other related questions. Clearly, victim support for VORP has its limits. It would be interesting to see how victims respond to a question like this which specifically included serious personal crimes like felony assault and rape. The results of this study lead one to suspect that the number of victims willing to participate in VORP would decline sharply as the seriousness of the new offense increased.

A comfortable majority of victims reported being satisfied with the referral of their case to mediation, and most felt that justice was done through the VORP process.

With regard to victims' views of the criminal justice system, the margins again narrowed, with nearly as many victims viewing it favorably as not. These results led me to wonder if victims found the term "criminal justice system" too nebulous or if they did not associate VORP with the criminal justice system. Whatever the case, this would be an interesting outcome to pursue in further study.

Some of the most interesting results came from the final set of three outcomes. Although most victims indicated that participation in VORP gave them the opportunity to discuss the crime, its impact on their life, and their feelings and concerns, far fewer victims reported that the mediation reduced how upset they were by the crime. This is especially interesting in light of the victim-centeredness of this VORP and other similar programs. These programs strive to meet the needs of the victims they serve, but the numbers resulting from this study do not support an overwhelming conclusion that the opportunity to meet the offender will markedly reduce how upset the victim is by the crime.

Though restitution was slow in coming, it was being paid and, as one victim's testimony asserts, she was eventually paid in full by the offender who participated in VORP, but not by the offender who had not been referred to VORP. It would have been helpful to have data on the number of victim respondents who had received all or part of their restitution and how long such payment took. This data would be useful in a future study.

Finally, just as participation in VORP did not necessarily help reduce how upset a victim was about a

crime, it also did not guarantee that the victim would feel less vulnerable or more in control of his or her life. And many victims still did not really understand why the crime had been committed, even after meeting with the offender.

Again, it should be emphasized that most victims had positive things to say about their VORP experience. In some instances, the number of positive responses was overwhelming. But when it came to the victims' very personal reactions to and feelings about the crime, participation in VORP seemed to have less of a positive effect.

### **Factors Influencing Program Success**

The results of this study suggest that predicting program success is not always a simple task. Data from the program database indicate that the only factor which seems to influence whether a mediation agreement is reached is the type of offense committed, with person offenses being the least likely to reach a mediation agreement. Thus, it appears that utilitarian-minor offenses are best suited to the VORP approach, having the highest mediation completion rate.

Similarly, few factors influence whether a victim will be satisfied with the mediation process. Those that do, appear to be mediator-related, such as how well the mediator prepared the victim, the mediator's attitude, etc., and the victim's satisfaction with the agreement.

### **Relationship Between Program Performance and Program Goals/Strategies**

These data indicate that this program is producing positive results on the outcomes studied here. It also seems clear that many of the outcomes measured here are the direct result of participation in VORP. For example, offenders would not be fulfilling the terms of restitution agreements if they had not completed a mediation and negotiated a restitution agreement with the victim. The victim-oriented outcomes also seem to be strongly linked to participation in the mediation process. Most questions on the victim survey asked the victims specifically about their experiences either preparing for the mediation or participating in the mediation. Obviously, their responses to these questions could not be attributed to any experience other than participation in VORP.

Some outcomes, however, are more difficult to attribute to the effects of VORP participation, like offender recidivism. It is difficult to say, for example, based on the data presented here, that participation in VORP influenced offender behavior in the year following the mediation. Indeed, referral to VORP did not reduce the rate of re-offense at all, but perhaps had an effect on the type of post-mediation offense. Without a comparison group of offenders who did not participate in VORP, however, it is impossible to say that VORP can take credit for this outcome (Rossi, Freedman & Lipsey, 1999). Additionally, I examined several factors for their predictive value with regard to recidivism, and no significant results were achieved. Nevertheless, proponents of restorative justice assert that participation in the mediation process helps offenders see the human consequences of their crimes and thus inhibits future offending. It is unclear whether this study supports that assertion.

### **Study Limitations**

The limitations of this study are many and should be borne in mind when considering the results of this outcomes evaluation. A primary concern while analyzing these data

was the low number of responses to the victim survey and the low return rate. I did not learn of this low response rate until late in the analysis stage. Obviously, as with any voluntary survey, the victims who responded to this survey were only those who felt motivated to do so. It is possible to hypothesize that those who responded did so either because they were motivated by a very positive experience or a very negative experience. Assuming this sort of skewing took place here, most of the victims who provided responses to this survey would seem to fall into the former category.

It would also have been especially helpful if the victim survey population corresponded to the VORP database population. This would have cleared up the problem with spotty offense information on the victim surveys and would have provided information on the type of restitution agreed to.

Also, to thoroughly examine the long-term effects of this program, the study period could be extended beyond one year. This would allow for additional recidivism data to be obtained, and would also provide further restitution payment data.

Finally, I did notice one obvious error on the victim survey and that was the way question 42 broke down income levels. Unfortunately, the breakdowns are not discrete, so, for example, a victim who makes \$30,000 per year could have circled response "b" or response "c". Because my study did not emphasize victim responses to the last five questions of the survey, however, this deficiency has little negative effect on the findings of this study, but it should be corrected for future use of the survey.

## **Conclusions**

These limitations notwithstanding, it is fair to conclude that this program is indeed meeting the goals it set for itself. The indicators support the outcomes, though, as previously mentioned, to varying degrees. Also, the results seen here are in keeping with those reported by studies of other VORPs, where generally positive findings are observed; mediations are completed at high rates, restitution agreements are made and generally completed, and participants report being satisfied with the process. Also in keeping with the literature, however, outcomes like recidivism produced mixed results.



The victim-oriented outcomes produced some surprising results in light of restorative justice theory which emphasizes "making it right" by allowing the victim to get answers to questions about the crime. Although Bradshaw and Umbreit (1998) reported that 90% of victims indicated high levels of "satisfaction," they did not comment on victims' responses to the more personal questions, like if the mediation reduced how upset they were, if they felt less intimidated by the crime, etc., so I have to wonder if their results were similar to those of this study.

Additionally, because the Orange County VORP is explicitly rooted in restorative justice theory, it is possible to generalize the results of this study to restorative justice theory itself. In doing so, it is clear that restorative justice theory has merit as operationalized through a VORP-type process. The generally positive results of this and other studies support many of the assertions of restorative justice theory. Although the results on offender recidivism and victim's personal reactions might not be as overwhelmingly positive as restorative justice proponents might like, they certainly do not indicate that restorative justice is harmful to offenders or victims, or that programs based on restorative

justice principles are producing negative results.

Ultimately, restorative justice appears to be successful within a specific scope, primarily limited by the type of offense.

Furthermore, VORP-type programs remain a good bargain in criminal justice dollars. The Orange County VORP estimates that it spends \$610 per case. This is obviously significantly less than the cost of taking a criminal case to a jury trial, especially when incarceration costs are considered. Because VORPs are perceived as economical, they will remain popular with legislators and government officials who must struggle to keep courts, law enforcement agencies, jails, and prisons fully staffed and functional.

### **Recommendations**

The Orange County VORP is a heavily theory-driven program. Its Statement of Purpose, Goals and Philosophy reads, in part, as follows:

The Institute for Conflict Management is rooted in the philosophy of "Restorative Justice" mediation and conciliation, where disputes are seen in terms of broken relationships rather than broken laws, and justice is the process of restoring the inequity and repairing the damage done as a result of wrongdoing.

Because goals like these are difficult to quantify with simple numerical data, it is important for the program to make a concerted effort to continually measure appropriate indicators. The Umbreit survey is an excellent instrument for measuring victim-oriented outcomes. The Orange County VORP currently uses a different survey to measure program participant satisfaction, which it administers to both victims and offenders, but that survey fails to adequately measure many of the program's most important outcomes. Thus, it would be my recommendation that the program adopt the Umbreit survey, or one like it, as its new exit survey, and that it be administered to victims and offenders alike. Obviously, this would require two versions of the survey: one for offenders and one for victims. The survey would have to be slightly modified to apply to offenders.

The Orange County VORP can be commended, however, on its current record keeping system. The VORP database contains a lot of useful information which was extremely helpful in completing this study.

In terms of further study, I would like to see a similar outcomes evaluation done which includes a

comparison group so that the linkage between program strategies and outcomes can be further explored.

It might also be fruitful to explore additional sources of data that would measure offender and victim attitudes, as well as mediation outcomes. For example, it might be helpful to administer a survey to the mediators who preside over these cases to see what their impressions of the process are, and then compare their impressions with those of victims and offenders. Also, because the issue of coercion occasionally comes up with respect to victim and offender participation in programs like these, a survey addressed to mediators might be able to explore this concern as well.

Finally, further research should also be done which explores program activities as a function of the selection and training of mediators. For example, it would be interesting to examine whether the quality of the mediator influences the quality of the activities, and thus produces improved outcomes. VORP programs might discover that using professional mediators not only improves outcomes, but also paves the way to using VORP for more serious offenses.

The continuing popularity of programs like the Orange County VORP insures that they will remain the focus of

studies such as this. Additionally, the push by restorative justice proponents to allow VORPs to handle more serious offenses will also demand additional study, though the results of this study suggest caution with regard to mediating more serious offenses. Thus, future research will undoubtedly shed additional light on the VORP process and restorative justice in general, which will allow these programs to better understand why we observe the results that we do, and help them to optimize program performance.

## **APPENDIX A: VICTIM SATISFACTION SURVEY**

## Victim Satisfaction Survey: Orange, CA Victim Offender Reconciliation Program

(9/22/98)

Please help us improve the services we provide to people who have been victimized by crime in our community by answering the following questions about the services you have received. We are interested in your honest opinion, whether they are positive or negative. Please answer all of the questions. We also welcome your comments and suggestions. Thank you very much, we really appreciate your help.

CIRCLE YOUR ANSWER      TODAY'S DATE \_\_\_\_\_      YOUR NAME \_\_\_\_\_  
(Optional)

1. Were you treated respectfully by the mediator who worked with you?

1      2      3      4  
No, definitely not      No, not really      Yes, generally      Yes, definitely

2. How satisfied were you with the manner in which the mediator prepared you for the eventual meeting with the offender?

1      2      3      4  
Quite Dissatisfied      Indifferent or mildly dissatisfied      Mostly satisfied      Very satisfied

3. Was the mediator a good listener?

1      2      3      4  
No, definitely not      No, not really      Yes, generally      Yes, definitely

4. Did the mediator clearly explain how the meeting with the offender would be conducted?

1      2      3      4  
No, definitely not      No, not really      Yes, generally      Yes, definitely

5. Was it made clear to you by the mediator that participation in a meeting with the offender was totally voluntary on your part?

1      2      3      4  
No, definitely not      No, not really      Yes, generally      Yes, definitely

6. How well prepared were you for the meeting with the offender?

4      3      2      1  
Very well prepared      Somewhat prepared      Somewhat unprepared      Very unprepared

7. How satisfied were you with your overall experience in the victim offender reconciliation program?

1      2      3      4  
Quite Dissatisfied      Indifferent or mildly dissatisfied      Mostly satisfied      Very satisfied

8. Would you recommend to other victims of similar crimes that they should consider the option of meeting the offender in this type of program?

1      2      3      4  
No, definitely not      No, not really      Yes, generally      Yes, definitely

9. How satisfied were you with the mediator?

1  
Quite Dissatisfied

2  
Indifferent or mildly  
dissatisfied

3  
Mostly satisfied

4  
Very satisfied

10. Did the mediator seem fair in conducting the meeting with the offender?

1  
No, definitely not

2  
No, not really

3  
Yes, generally

4  
Yes, definitely

11. During the meeting with the offender, was there sufficient time to talk directly with the offender about the impact of the crime upon your life?

1  
No, definitely not

2  
No, not really

3  
Yes, generally

4  
Yes, definitely

12. How satisfied were you with the restitution agreement that was made during the meeting?

1  
Quite Dissatisfied

2  
Indifferent or mildly  
dissatisfied

3  
Mostly satisfied

4  
Very satisfied

13. Was the restitution agreement made during the meeting with the offender fair to you?

4  
Yes, definitely

3  
Yes, generally

2  
No, not really

1  
No, definitely not

14. Was the restitution agreement made during the meeting with the offender fair to the offender?

4  
Yes, definitely

3  
Yes, generally

2  
No, not really

1  
No, definitely not

15. Did the mediator seem genuinely interested in your expressed needs?

1  
No, definitely not

2  
No, not really

3  
Yes, generally

4  
Yes, definitely

16. While participating in the victim offender reconciliation program, did you feel comfortable and safe?

1  
No, definitely not

2  
No, not really

3  
Yes, generally

4  
Yes, definitely

17. Was it helpful to be able to talk directly with the offender about the impact of the crime?

4  
Yes, it helped  
a great deal

3  
Yes, it helped  
somewhat

2  
No, it really  
didn't help

1  
No, it seemed  
to make things worse

18. How important was it to you to be able to talk directly with the offender about developing a plan to compensate you in some way for your losses?

4  
Very important

3  
Somewhat important

2  
Somewhat unimportant

1  
Very unimportant

19. Did meeting the offender help reduce any fear that he/she would commit another crime against you?

4  
Yes, definitely

3  
Yes, generally

2  
No, not really

1  
No, definitely not



20. If you were again a victim of a similar crime, would you be likely to participate in a victim offender reconciliation program?
- 4 Yes, definitely      3 Yes, generally      2 No, not really      1 No, definitely not
21. Did the meeting with the offender help reduce how upset you were about the crime?
- 1 No, definitely not      2 No, not really      3 Yes, generally      4 Yes, definitely
22. How much did the meeting with the offender help reduce any fear that the offender would commit another crime against someone else?
- 4 A great deal      3 Somewhat      2 Very little      1 Not at all
23. Did the offender seem to be sorry about what he or she did to you?
- 1 No, definitely not      2 No, not really      3 Yes, generally      4 Yes, definitely
24. During the meeting with the offender, did he/she show any understanding, even the beginnings of understanding, about the real personal impact of the crime upon your life?
- 4 Yes, definitely      3 Yes, generally      2 No, not really      1 No, definitely not
25. How satisfied were you with the justice system's decision to refer your case to the victim offender reconciliation program?
- 1 Quite Dissatisfied      2 Indifferent or mildly dissatisfied      3 Mostly satisfied      4 Very satisfied
26. When you left the meeting with the offender, how satisfied were you about the outcome of it?
- 1 Quite Dissatisfied      2 Indifferent or mildly dissatisfied      3 Mostly satisfied      4 Very satisfied
27. As a victim of crime, do you feel less vulnerable after having talked with the offender in the meeting?
- 4 Yes, definitely      3 Yes, generally      2 No, not really      1 No, definitely not
28. How well do you think the offender was prepared by the mediator prior to meeting you?
- 4 Very well prepared      3 Somewhat prepared      2 Somewhat unprepared      1 Very unprepared
29. If you were the victim of a more serious crime (up to and including physical assault, but not a sexual assault), would you be likely to participate in a victim offender reconciliation program?
- 1 No, definitely not      2 No, not really      3 Yes, generally      4 Yes, definitely

30. Do you believe the offender was adequately held accountable for the crime he or she committed against you?
- 1                      2                      3                      4  
 No, definitely not      No, not really      Yes, generally      Yes, definitely
31. Was it helpful to meet the offender?
- 1                      2                      3                      4  
 No, definitely not      No, not really      Yes, generally      Yes, definitely
32. Did the victim offender reconciliation program allow you to express your feelings about being victimized?
- 1                      2                      3                      4  
 No, definitely not      No, not really      Yes, generally      Yes, definitely
33. Were you able to participate more fully in the criminal justice process as a result of your involvement with the victim offender reconciliation program?
- 4                      3                      2                      1  
 Yes, definitely      Yes, generally      No, not really      No, definitely not
34. After participating in a meeting with the offender, do you have a better understanding of why the crime was committed against you?
- 4                      3                      2                      1  
 Yes, definitely      Yes, generally      No, not really      No, definitely not
35. Did participation in the victim offender reconciliation program make the criminal justice process more responsive to your needs as a human being?
- 4                      3                      2                      1  
 Yes, definitely      Yes, generally      No, not really      No, definitely not
36. Have you ever felt that our program was more concerned with procedures than with helping you?
- 4                      3                      2                      1  
 Yes, definitely      Yes, generally      No, not really      No, definitely not
37. How would you rate the quality of service you have received from our program?
- 4                      3                      2                      1  
 Excellent      Good      Fair      Poor

It would be very helpful to our agency if you provided the following information. All information in this survey, including the following, will in no way ever be reported out in such a manner that it is connected to your name. Please do not feel obligated to provide the following information if you feel uncomfortable doing so.

38. Type of crime \_\_\_\_\_

39. Your age \_\_\_\_\_

40. Your sex: M or F \_\_\_\_\_

41. What is your highest grade of education completed:

- |         |                                   |
|---------|-----------------------------------|
| a. 8th  | f. Associate College Degree       |
| b. 9th  | g. College Degree (Undergraduate) |
| c. 10th | h. Graduate Degree                |
| d. 11th | i. Other _____                    |
| e. 12th |                                   |

42. What is the range of your annual household income?

- a. Less than \$15,000
- b. Between \$15,000 and \$30,000
- c. Between \$30,000 and \$45,000
- d. Between \$45,000 and \$60,000
- e. Between \$60,000 and \$75,000
- f. More than \$75,000

THANKS AGAIN FOR HELPING WITH THIS !!

## APPENDIX B: VORP LOGIC MODEL

Note: Data source(s) for each outcome indicator are provided. "VS #" indicates the victim survey question or questions which correspond to this outcome. "DB" indicates that the data source for this indicator comes from the VORP program database.

**LOGIC MODEL FOR THE ORANGE COUNTY VICTIM OFFENDER RECONCILIATION PROGRAM  
(VORP)**

| Inputs  | Activities   | Outputs  | Outcomes   |  |  |
|---|--|--|--|--|--|
|   |  |  | Initial Outcomes   | Intermediate Outcomes  | Longer Term Outcomes   |
| <ul style="list-style-type: none"> <li>▪ Program provides trained community volunteer mediator, facility, and staff.</li> <li>▪ Program resources spent per case average \$610.</li> <li>▪ VORP staff and volunteers spend an average of six hours on each case.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Victim and offender are contacted regarding participating in the mediation process.</li> <li>▪ Victim and offender are prepared, separately, by the mediator for the mediation process.</li> <li>▪ Mediation is scheduled.</li> </ul> | <ul style="list-style-type: none"> <li>▪ Victim and offender attend the mediation.</li> <li>▪ Victim and offender discuss the crime and its effects.</li> <li>▪ Victim and offender construct a mediation agreement, including a restitution plan, with the assistance of the mediator.</li> </ul> | 1. Offender sees the human consequences of his crime.<br><br>[VS 23, 24] | 2. Offender fulfills the terms of the restitution plan.<br><br>[DB]    | 3. Offender avoids further participation in illegal activities; reduced recidivism.<br>[DB]                          |
|   |  |  | 4. Victim feels well prepared for the mediation.<br><br>[VS 2,4,5,6]     | 5. Victim is satisfied with results of the mediation.<br><br>[VS 7,26] | 6. Victim would participate in such a program again in the future; would recommend it to others.<br><br>[VS 8,20,29] |

| Inputs | Activities | Outputs | Outcomes  |   |   |
|--------|------------|---------|---|---|---|
|        |            |         | Initial Outcomes  | Intermediate Outcomes                                       | Longer Term Outcomes  |
|        |            |         | 7. Victim approves of referral of the case to mediation.<br><br>[VS 25]                             | 8. Victim feels justice was done.<br><br>[VS 12,13,15,30]   | 9. Victim views the criminal justice process more favorably.<br><br>[VS 33,35]                          |
|        |            |         | 10. Victim's fears, concerns, feelings re: the crime are addressed.<br><br>[VS 11,15,17,21, 22, 32] | 11. Victim receives compensation for the crime.<br><br>[DB] | 12. Victim feels less threatened by the crime and more in control of his/her life.<br><br>[VS 19,27,34] |

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