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# Restorative Justice at Work: Examining the Impact of Restorative Justice Resolutions on Juvenile Recidivism

Nancy Rodriguez

Programs with restorative justice ideals attempt to incorporate victims and community members into the administration of justice. Although these programs have become increasingly popular, only a few programs in the United States have been the focus of prior studies. Using official juvenile court data from an urban, metropolitan area, this study finds that juveniles who participated in a restorative justice program were less likely to recidivate than juveniles in a comparison group. Also, gender and prior offenses indirectly influence recidivism in important ways. Girls and offenders with minimal criminal history records exhibit the most success from participating in such programs. Findings demonstrate the importance of examining additive and interactive effects in restorative justice research.

**Keywords:** *restorative justice; community justice; juvenile diversion*

Restorative justice programs aim to hold juveniles accountable for their delinquent acts and develop their competencies while protecting the community (Bazemore & Griffiths, 1997; Bazemore & Maloney, 1994; Umbreit & Stacy, 1996; Umbreit & Zehr, 1996). The notion that victims, offenders, and family members can collectively respond to crime and delinquency provides a uniquely different orientation to the administration of justice. Restorative justice is guided by the principle that crime harms both individuals and relationships (Braithwaite, 2002). Furthermore, restorative

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justice, like community justice, emphasizes community involvement and problem solving (Bazemore & Umbreit, 1994, 1995; Clear & Karp, 1999, 2000; Hayes & Daly, 2003; Karp, 2001, 2002; Maloney & Holcomb, 2001; McGarrell, 2001; Van Ness & Strong, 2002).

A restorative justice framework focuses on repairing the harm done to victims and the community through a process of negotiation, mediation, victim empowerment, and reparation (Zehr, 1995). Within this framework, crime and delinquency present a unique opportunity to build relationships and reach an agreement through a collaborative process. Restorative justice, which includes the rehabilitation of offenders, is more consistent with the philosophy of the juvenile court than with the retributive philosophy that guides the criminal justice processing of adult offenders. In fact, researchers have argued that restorative justice provides an appropriate alternative to existing mechanisms found within the juvenile court (Bazemore & Umbreit, 1994, 1995; Umbreit & Coates, 1992).

The potential benefits of restorative justice programs, although well documented, remain to be fully realized in the United States. Although some studies have assessed program impact on recidivism, studies are just now beginning to address the particular circumstances under which restorative justice can be most effective. In particular, it is still unclear which offenders or cases are most likely to succeed (i.e., less likely to recidivate) after taking part in these programs and whether success rates are lower than those of offenders on standard court programs. Despite the lack of research, juvenile offenders continue to be targeted for participation in restorative justice programs throughout the country. The intent of this study is to examine whether a particular restorative justice program in the United States can be effective in reducing recidivism among juvenile offenders. Official juvenile court data from Maricopa County, Arizona, will be used to assess the impact of a restorative justice program on recidivism. Additionally, this study will identify whether offender and case-specific indicators intercede with the restorative justice program and affect recidivism.

## **Restorative Justice Ideals And Practice**

Restorative justice is based on the notion that criminal activity harms people and relationships (Braithwaite, 2002; McCold, 2004). As such, efforts must be made to address the harm (e.g., psychological, physical, and monetary loss) caused by the criminal offense. In this context, the harm is experienced not only by victims but also by offenders and their respective communities (Bazemore & Umbreit, 1995; Braithwaite, 1989; Pranis,

1998). Because victims and the community are both harmed, they are critical in the reparation process. The reparation process entails face-to-face dialogues between victims, offenders, and the community, in which participants relate their emotions and collaborate to develop ways to repair the harm caused by the offense. According to Braithwaite (2002), an apology, restoration of emotions, a sense of security and empowerment, forgiveness, and reconciliation are “emergent values” of restorative processes (p. 15).

The collaboration between victims, offenders, and communities offers the most balanced approach to crime and delinquency (Bazemore, 1992). This balanced approach includes repairing the victims’ harm, providing consequences for the crime, and reintegration of offenders into the community. The reintegration process may include providing psychological support, job training and placement, and educational support to offenders (Braithwaite, 2002). It is interesting that researchers often overlook the collaborative effort between juvenile courts, victims, and communities in pursuing the goals of restorative justice (e.g., understanding the sources of crime and its impact to the participants, development of appropriate sanctions, and dialogue and interests in learning how crime affects victims and community). In reality, the impact of restorative justice on juveniles is directly related to the supervision provided by criminal justice agents (e.g., juvenile courts, prosecutors, and police) and the work of victims and the community (Bazemore & Umbreit, 1995, 2001).

Restorative justice programs take several forms, including victim–offender mediation, community reparative boards, family group conferencing, and circle sentencing (Bazemore & Griffiths, 1997; Bazemore & Umbreit, 2001). Victim–offender mediation programs, which have been the most studied among restorative justice programs, place the greatest emphasis on the victim’s ability to inform the offender of the harm caused by the offense (Umbreit, Coates, & Vos, 2001). The input from victims is less prevalent within community reparative boards, in which community members meet with offenders to discuss the delinquent act(s) and relate how the offense has harmed the community (Bazemore & Umbreit, 2001). Circle sentencing offers the most holistic approach to restorative justice programming (Melton, 1995). Circles aim to have victims, offenders, community members, friends, and families undertake a “shared search for understanding” of the delinquent offense (Bazemore & Umbreit, 2001, p. 6). Last, family group conferencing, commonly used in juvenile cases in New Zealand and Australia include family members as an integral part of the resolution process (Bazemore & Umbreit, 2001; Maxwell & Morris, 1993; McElrea, 1996; Umbreit, 2000). Family group conferencing includes a broader group of individuals (e.g., community members and agents of the criminal justice system) in the resolution process than other restorative justice programs do.

Although these four types of programs represent the most commonly used restorative justice programs for juveniles, modifications to programs have been encouraged to ensure that restorative justice meets the unique needs of communities (Bazemore & Schiff, 2004; Bazemore & Umbreit, 2001).<sup>1</sup>

The community plays an important role in restorative justice. The inclusion of community members in the restorative justice process allows local citizens to reflect their neighborhood's values and norms in the restoration process (Clear & Karp, 1999, 2000; Karp, 2001). Also, community members recommend how the harm caused by the offense can be repaired. Community members identify the skills that offenders need to successfully reintegrate into their communities and recommend the means for acquiring those needed skills (Clear & Karp, 1999; Karp, Lane, & Turner, 2002; Morris, 2002). Offenders' reintegration relies on having community members clearly understand that their role in the reparation process is not to punish offenders but rather to assist in the reintegration process (Crawford, 2004; Karp & Drakulich, 2004).

As a result of these processes, offenders realize the harm produced by their crime and also recognize they are part of a larger community that seeks to identify the services and treatment they need to cease criminal activity. Thus, the restorative process is characterized by a collective effort, whereby juveniles return to their communities after receiving the counseling, educational, and/or vocational training they need (Bazemore, 1992; Bazemore & Umbreit, 1995). Certainly, these processes represent an ideal model and may not be fully realized. Furthermore, there is no consensus regarding what encompasses a "community" within restorative justice. Although some restorative justice researchers (e.g., McCold, 2004) prescribe to more narrow definitions of *community* (i.e., family and friends), other researchers (e.g., Bazemore, 2005; Umbreit, Coates, & Vos, 2004) conceptualize community as families, friends, juvenile justice professionals, and community volunteers who provide assistance and support to victims and offenders.

## Restorative Justice Impact

According to Braithwaite (2002), restorative justice is intended to reduce crime, but it also works well in "granting justice, closure, restoration of dignity, transcendence of shame, and healing for victims." (p. 69). Although studies have examined self-report data from victims and offenders to assess their perception of the restoration process (Marshall & Merry, 1990; Maxwell & Morris, 1993; McCold & Wachtel, 1998; McGarrell, 2001; Umbreit, 1994; Umbreit & Coates, 1993), a growing number of studies have begun to examine recidivism outcomes.

Studies addressing restorative justice impact on recidivism have not consistently shown a significant reduction in crime among program participants. Initial studies of programs, including a multisite study of four victim–offender mediation programs in the United States, revealed lower recidivism rates among juveniles who took part in restorative justice programs than among offenders in comparison groups (Niemeyer & Shichor, 1996; Umbreit, 1994; Umbreit & Coates, 1992, 1993). However, the lower rates reported in these studies were not statistically significant. Roy (1993) failed to show any significant differences in recidivism rates between juveniles in an Elkhart County, Indiana, victim–offender program and offenders in a comparison group. McCold and Wachtel (1998) used random assignment to examine the Police Family Group Conferencing program in Bethlehem, Pennsylvania, and also found no significant difference in recidivism rates between groups after a 12-month follow-up period.

More recent studies have found restorative justice to be effective in addressing offender recidivism (Hayes & Daly, 2003; Maxwell & Morris, 2001; McGarrell, 2001; Nugent, Umbreit, Wiinamaki, & Paddock, 2001; Sherman, Strang, & Woods, 2000). Among these studies is a meta-analysis of 35 restorative justice programs (i.e., 27 victim–offender mediation programs and 8 conferencing programs), which showed that these programs were more effective than traditional correctional supervision programs in reducing recidivism (Latimer, Dowden, & Muise, 2005).

## Unresolved Issues In Restorative Justice Research

Some researchers claim that existing findings on restorative justice programs are not indicators of program effectiveness (or ineffectiveness) but rather a product of flawed methodological designs (e.g., nonrandomized experiments), selection bias, and/or nonresponse bias (Kurki, 2000). Methodological problems, such as the failure to incorporate comparison groups, make it impossible to attribute outcomes to restorative justice programs. Even in the most ideal situations (i.e., randomized design), possible selection effects and nonresponse bias call into question the ability to adequately assess program impact if selected offenders decline to participate after the randomization process (Hayes, 2005; Hayes & Daly, 2003; Kurki, 2000; McCold & Wachtel, 1998; Morris, 2002). Furthermore, Presser and Van Voorhis (2002) call attention to the difficulty associated with making comparisons across sites, given the different ways in which programs have been implemented and the multiple outcomes that can be used to assess program success.

The possibility for differential treatment of offenders plagues restorative justice programs. Researchers argue that community members (i.e., volunteers) may recommend more severe sanctions for particular types of offenders (e.g., minorities, young offenders), resulting in increased harm and future delinquency (Feld, 1999; Karp, 2002; Levrant, Cullen, Fulton, & Wozniak, 1999; Roberts & LaPrairie, 1996). Thus, the community members who aim to be far more responsive to offenders than the juvenile court may respond punitively to certain offenders.

Unlike much juvenile justice research, which has examined the interrelationship between extralegal variables and court procedures and outcomes (see Bishop & Frazier, 1988, 1996; Bortner & Reed, 1985; Fagan, Slaughter, & Harstone, 1987; Frazier & Bishop, 1985; McCarthy, 1987; Schutt & Dannefer, 1988; Secret & Johnson, 1997; Wordes, Bynum, & Corley, 1994), these relationships have only recently been explored in restorative justice research.<sup>2</sup> For example, Maxwell and Morris (2001) found that among restorative justice participants, poverty and parental neglect affect recidivism. Also, in their meta-analysis, Latimer, Dowden, and Muise (2001) examined the possible interactive effects between relevant factors and recidivism and found no significant effects between program type (i.e., victim-offender mediation versus conferences), age of participants, or program point of entry (i.e., precharge versus other points of entry) and recidivism outcomes. Sherman et al. (2000) examined the role of legal criteria and found that only offenders charged with violent offenses had lower rates of recidivism than offenders who went to court. Drunk drivers, property offenders, and shoplifters' rates of recidivism were not significantly different from those of offenders in the control group.

Other studies have relied on self-report data from program participants to examine possible interactive effects on recidivism. Relying on data from offenders in a New Zealand family group conferencing program, Morris and Maxwell (1998) examined recidivism and found that juvenile offenders who failed to apologize were far more likely to reoffend. Juveniles' ethnicity and legal variables also had a significant effect on recidivism. Particularly, Maori juveniles, juveniles who committed more serious offenses, and offenders with more extensive prior records were more likely to recidivate. Hayes and Daly (2003) found that offenders who were remorseful and whose outcomes involved a consensual decision were less likely to reoffend. This effect was constant across risk levels (high-risk and low-risk youth). Also, offenders with a prior offending history were more likely to reoffend than offenders with no prior offending history, and type of offense (violent or property offense) had no significant impact on recidivism (Hayes & Daly, 2003).

Recent studies have continued this line of inquiry and have also related the importance of examining interactive effects in restorative justice studies.

Hayes and Daly's (2004) study of youth justice conferences in Queensland, Australia, shows that males, offenders between the ages of 13 and 16, age at first offense, and offenders with a prior offending history are more likely to reoffend. They find that conference measures did not affect recidivism. They attribute this nonsignificant effect to minimal variation among conference measures. Hayes (2005) reanalyzed data from the Bethlehem, Pennsylvania- Restorative Policing Experiment and found that violent offenders in conferences were less likely to reoffend than violent offenders referred to the court. Analysis showed no significant differences in recidivism between property offenders in the conference and court group. Furthermore, findings from the conferences revealed that females were less likely to reoffend than were males.

## Maricopa County's Community Justice Committees

In 1995, the Juvenile Probation Department of Maricopa County, Arizona, created Community Justice Committees (CJCs) to deal with a growing juvenile offending population. The program adopted a restorative justice philosophy consistent with that of the Balanced and Restorative Justice (BARJ) project of the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice. The restorative justice program is designed to divert juvenile offenders from formal juvenile court processing and bring juvenile cases to the attention of their communities for resolution. Since its inception, the program has been regarded by the probation department as family group conferencing with a community element. These committees function much like family group conferencing in that victims and family members actively respond to the harm caused by a delinquent offense (Bazemore & Umbreit, 2001). However, the CJCs also resemble reparative boards given the role of the trained community members in the restoration process.<sup>3</sup> Although restorative practices can take place at either the diversion or postadjudication stage (Maxwell & Morris, 1993, 1997; McElrea, 1998; Morris, Maxwell, & Robertson, 1993), the restorative justice program in this jurisdiction is a diversion program.

The selection process of offenders is made by juvenile probation officers and people from the county attorney's office who review all juvenile referrals and select cases deemed appropriate for diversion (i.e., standard diversion or restorative justice program). The selection of offenders to diversion programs is often limited to offenders who have been referred to the juvenile court for their first or second offense. However, first-time offenders and repeat offenders (i.e., third- and fourth-time offenders) have participated in



this particular restorative justice program. Following selection to the program, juveniles must accept responsibility for the delinquent offense by admitting their role in the delinquent offense(s) and agree to have their cases heard in front of the committees. Sex and violent felony offenders are excluded from participating in diversion programs in this jurisdiction.

The committees are composed of 2 to 4 adult volunteers, a juvenile probation officer, and the victim of the offense. If victims are unable or unwilling to participate in the restorative justice process, they can relate their input to the committee through probation officers. Unfortunately, the probation department's information system does not maintain summary data for victims, nor does it provide ongoing surveys of victims to assess their level of satisfaction with the restorative justice program.<sup>4</sup> Volunteers are initially trained on the basic principles and values of restorative justice and their role in the committees and are exposed to the resources and services that are available for juveniles. Volunteers also periodically receive training and technical assistance from the BARJ project. Not only are volunteers instrumental in developing offenders' agreement, but they also assist in the development of services for victims and in expanding the role of community members within the justice system.<sup>5</sup> In some cases, volunteers and juvenile offenders reside in the same communities.

Committees work with the juveniles, family members, and community agencies in an attempt to hold juveniles accountable for their actions, develop juveniles' life skills (i.e., vocational and job training, parenting and social skills), and restore the sense of community that was destroyed by the delinquent offense. Although juveniles may be ordered to take part in any or all of the following activities, the majority (more than 75%) of juveniles who take part in the program are ordered to community service (e.g., weekend work crews) and ordered to pay restitution. Twenty-five percent of juveniles' agreements include counseling and educational programming. Juveniles have between 60 and 90 days to successfully complete the terms recommended by the committees. The unsuccessful completion of the diversion terms (e.g., probation violation or the commission of a new offense) results in the formal filing of the original delinquent offense by the county attorney.

The restorative justice program has been the focus of prior empirical examinations. A prior study found that certain characteristics of juveniles significantly influenced the selection of juveniles into the restorative justice program (Rodriguez, 2005). In particular, Black and Hispanic or Latino juveniles were less likely than White juveniles to be selected for placement in the restorative justice program. Also, property offenders were more likely than person offenders to be selected for program participation. Furthermore, the study found that community characteristics of the offender's residence, such as the percentage of racial and ethnic heterogeneity,

unemployment rate, and percentage of Spanish-speaking households, were important predictors of restorative justice program placement.

Maricopa County is the second jurisdiction in the United States (Minneapolis is the first) to take part in the BARJ inventory to assess how the juvenile probation department has integrated restorative features and practices. The inventory showed that community members' feedback in expressing community concerns and in holding juveniles accountable was one of the strengths of the restorative justice program (Reetz, 2005). Findings from the inventory also show that far more volunteers are needed, given case volume in this jurisdiction. With regard to victims, the inventory revealed that the department needs to further develop and emphasize the role of victims and victim empathy not just in the restorative justice program but also throughout the probation department.

## **The Present Study**

This study relies on data from the Maricopa County Juvenile Probation Department from 1999 to 2001 to examine the influence that the CJs have on delinquency. To capture the extent to which program participation affects future offending, the following research questions are examined:

What is the effect of Community Justice Committees on juvenile recidivism among those offenders who completed their disposition?

Is the effect of Community Justice Committees on recidivism associated with legal and extralegal variables?

Restorative justice programs are an important component within juvenile courts. To determine whether juveniles selected for these programs can in fact succeed in the community, recidivism must continue to be assessed. Moreover, investigating the interceding effects that legal and extralegal variables have on recidivism advances research by moving beyond the question of whether restorative justice programs can be successful at reducing crime and addressing the circumstances under which programs can be most effective. Hence, this research will examine whether certain characteristics (e.g., gender, race or ethnicity, age, offense type, prior offenses) affect recidivism among the restorative justice and comparison group.

Findings reported here will advance research in this area in several ways. First, this study will add to the growing body of research, which has primarily focused on restorative justice efforts outside of the United States. Second, official delinquency data from a large metropolitan area that contains a racially and ethnically mixed juvenile offending population (i.e., Whites,

Blacks, and Hispanics and Latinos) will allow for the examination of program impact among a diverse juvenile population. Third, this study will compare recidivism among a population of restorative justice participants with a population of juveniles processed through the court (i.e., comparison group). Last, this study will examine how program impact is affected by legal (e.g., offense type and criminal history record) and extralegal (e.g., race or ethnicity and gender) factors. Although restorative justice proponents argue that juveniles, in general, can successfully be reintegrated into their communities, there are only a few empirical studies of U.S. juvenile programs that have examined the direct and indirect effects of factors in recidivism.

## **Data And Method**

### **General Research Design**

To examine recidivism, offenders processed through the Maricopa County Juvenile Probation CJC from January 1999 through June 2001 were compared to all offenders eligible for diversion during the same time period that were not placed in the restorative justice program.

### **Population**

The treatment and comparison group represent a population of all cases diverted in this particular jurisdiction. Unlike juveniles in the restorative justice program who had the terms of the agreement developed by committee members (i.e., victims, family members, and citizen volunteers), juveniles in the comparison group had their terms of diversion developed by juvenile probation officers. Juveniles who were able to be tracked for a 2-year period under juvenile court jurisdiction were followed for a 24-month period, and any petition filed with the court during this time period was used as an indicator of recidivism. Given the interest in evaluating the effect of program completion on recidivism, juveniles within either group who failed to meet the terms of their diversion were excluded from the analysis.<sup>6</sup>

### **Data Collection Procedures**

Data for this study come from the Maricopa County Juvenile On-Line Tracking System database. These data provide detailed information on juveniles' referrals, formal court petitions, and dispositions. These data are official and maintained by the juvenile court.

## Measures

Extralegal variables in the analyses include *gender*, *race or ethnicity* (dummy-coded variables for Hispanic or Latinos and Blacks, with Whites as the reference category), and *age* at time of court referral. Consistent with recidivism studies that emphasize the important role of legal characteristics, the most serious offense referral (i.e., person, property, status, and public order)<sup>7</sup> and the number of prior offenses in juveniles' official court records are included. Three control measures are included in this study. First, a control for school status at the time of court referral is included in the analysis to capture whether attending school plays a significant role in reducing juvenile recidivism. Second, although all juveniles in this study came from one county, juveniles can have their cases processed and monitored at the juvenile court or within the community. The juvenile court has established neighborhood satellite centers throughout the county where probation officers meet with juveniles to monitor offenders' progress. These centers also serve as the meeting place for some committees (i.e., conferences). Centers are located in schools, churches, social service agencies, and juvenile court community centers. Because prior research has shown that community dimensions affect restorative justice processes, a control for the location of the meeting is included (a dummy-coded variable). This measure compares juveniles who had their cases referred to and monitored in the neighborhood satellite centers with those cases processed at the juvenile court. Third, to control for any change in processing that may have occurred during the study period, a control is included for the year when cases were processed.

The dependent variable in this study, *recidivism*, was measured as a new juvenile petition to the juvenile court system following program completion. Any formal petition filed by the county attorney within the 24-month follow-up period would constitute recidivism. Formal petitions represent cases that were deemed by court personnel appropriate for court adjudication. Although this measure of recidivism is a more conservative measure than are arrests, it does serve as a measure of formal juvenile court activity rather than a measure of police activity. A measure of recidivism exclusive to arrests would not only exclude court referrals from family members and school administrators but also exclude the most common petition to the court—probation officer referrals (i.e., probation violations).

## Analytical Procedures

Descriptive statistics were used to identify statistically significant differences between the restorative justice and the comparison group. Given

the binary nature of the dependent variable, logistic regression was used to predict the filing of a new juvenile court petition.

## Findings

Descriptive statistics show that 60% of juveniles in the restorative justice program were boys, a higher percentage than in the comparison group (see Table 1). The average age for juveniles in both groups was 14 years. The treatment group contained a smaller proportion of Hispanics and Latinos than did the comparison group, but the representation of Blacks was fairly consistent across both groups. The majority of cases in the restorative justice program involved property offenders (62%), whereas status offenders comprised the largest portion of juveniles in the comparison group (62%). Juveniles in both groups had, on average, at least one prior court referral. The majority of cases in the restorative justice program were processed in the neighborhood satellite centers (93%). Although the composition of the groups varies on legal and extralegal factors, the dependent variable, *recidivism*, appears to be fairly evenly distributed in both groups (34% versus 36%). This is particularly surprising, given the differences in group composition (i.e., a higher proportion of person and property offenders in the CJC and higher proportion of status offenders in the comparison group). Prediction models were conducted to estimate the effect of the restorative justice program on recidivism while controlling for legal and extralegal measures.

## Main Effects of Restorative Justice Recidivism

Model 1 presents the main effects of recidivism (see Table 2). Findings show that juveniles in the restorative justice program were less likely to recidivate than juveniles in the comparison group when controlling for legal and extralegal factors. That is, after 24 months, juveniles in the restorative justice program were .704 times ( $\exp[-.350]$ ) less likely than offenders in the comparison group to have a petition filed by the county attorney's office.

Several extralegal and legal variables influenced recidivism. The effects of the extralegal control variables indicate a gender influence but no racial or ethnic effect on recidivism. Although boys were 1.391 times ( $\exp[.330]$ ) more likely to recidivate than girls were, there were no significant differences between Whites, Black, or Hispanics and Latinos in their likelihood to recidivate. To address the possible curvilinear relationship between age and recidivism, the variable *age* was squared and included as a control variable

**Table 1**  
**Descriptive Statistics of Variables (N = 4,970)**

	CJC Group (n = 1,708)		Other Diversion Group (n = 3,262)	
	%	SD	%	SD
Sex*				
Boys	60.0		55.0	
Girls	40.0		45.0	
Race or ethnicity*				
White	64.5		42.1	
Black	7.5		7.0	
Hispanic or Latino	28.0		50.9	
Mean age	14.0	1.5	14.1	1.3
School status*				
Attending	92.0		85.0	
Not attending	8.0		15.0	
Referral*				
Person	15.8		12.0	
Property	62.2		22.0	
Status	15.0		62.0	
Public order	7.0		4.0	
Prior offenses mean	1.1	0.6	1.1	0.6
Year of referral*				
1999	66.0		8.1	
2000	28.0		84.0	
2001	6.0		7.9	
Location of meeting*				
Community centers	93.0		33.4	
Juvenile court	7.0		66.6	
Recidivism				
Yes	34.0		35.9	
No	66.0		64.1	

Note: CJC = Community Justice Committee.

\* $p < .05$ ; chi-square test for differences between juveniles in the restorative justice program and the comparison group. For comparison of age and prior offenses, a  $t$  test was used, and the results were not significant at  $p < .05$ .

with age. The significant positive effect of age and negative effect of age<sup>2</sup> indicates that the likelihood of recidivating increases with age at lower ages and then tapers off at higher ages. Juvenile offenders who were attending school were less likely to recidivate than were property offenders. Data on offense type show that property offenders were .592 times (exp [-.524])

**Table 2**  
**The Effect of Restorative Justice Program on Recidivism: Logistic Regression Results**

	Model 1			Model 2		
	$\beta$	SE	Odds	$\beta$	SE	Odds
Intercept <sup>a</sup>	-16.905	2.468		-15.273	2.491	
CJC	-.350*	0.114	0.704	-1.303*	0.192	0.272
Boys	0.330*	0.064	1.391	0.228*	0.077	1.256
Race or ethnicity						
Black	-0.092	0.132	0.912	-0.082	0.132	0.921
Hispanic or Latino	0.044	0.068	1.045	0.053	0.068	1.055
Age	2.498*	0.364	12.156	2.285*	0.367	9.822
Age <sup>2</sup>	-0.090*	0.013	0.914	-0.082*	0.013	0.921
Attending school	-0.207*	0.094	0.813	-0.213*	0.094	0.808
Referral						
Property	-0.524*	0.098	0.592	-0.548*	0.099	0.578
Status	-0.025	0.099	0.976	0.016	0.100	1.016
Public order	0.023	0.152	1.023	0.006	0.153	1.006
Prior offenses	-.532*	0.136	0.588	-0.649*	0.138	0.523
Prior offenses <sup>2</sup>	0.299*	0.049	1.349	0.277*	0.049	1.319
Year						
2000	-0.752*	0.109	0.471	-0.763*	0.110	0.466
2001	-1.385*	0.307	0.250	-1.339*	0.307	0.262
Community center	-0.198*	0.082	0.821	-0.172*	0.082	0.842
Boys $\times$ CJC	—	—	—	0.328*	0.138	1.389
Prior Offenses $\times$ CJC	—	—	—	0.699*	0.119	2.011
-2 Log Likelihood		6,043.9			6,001.9	
$\chi^2$ ; df		321.6; 15			363.6; 17	
N		4,970			4,970	

Note: CJC = Community Justice Committees.

a. Reference category = Whites, person offenses, and cases processed during 1999.

\* $p < .05$ .

less likely to recidivate than person offenders. As with age, the variable *prior offenses* was squared to address the curvilinear relationship in the data. Both prior offenses and prior offenses<sup>2</sup> were statistically significant. The coefficients indicate that the likelihood of recidivating decreased slightly from zero to one prior offense but then increased with multiple prior offenses. The significant effect of the controls for year may be attributed to program changes, which included more selectivity of program participants with time. Last, juveniles who had their cases processed in the neighborhood satellite centers were less likely to recidivate.

## Interactive Effects Between Restorative Justice and Legal and Extralegal Variables

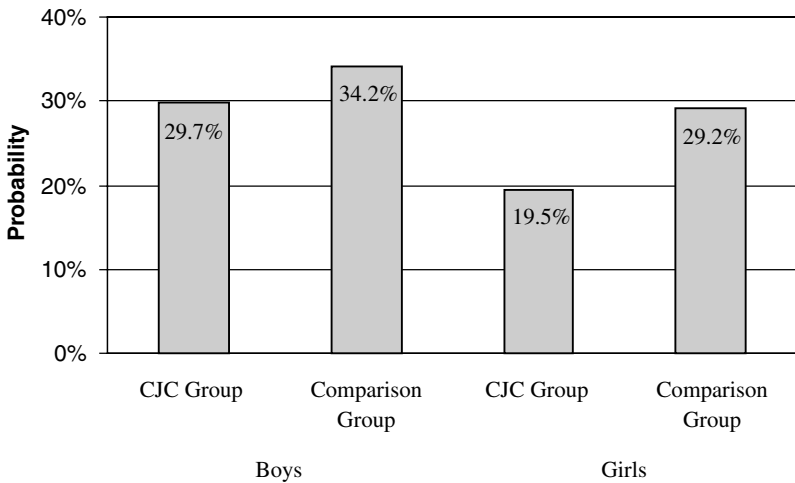
The lack of available data and/or the failure to include a comparison group have made analysis of interactive effects in restorative justice research difficult to conduct. To identify whether the effect of restorative justice on recidivism was interrelated with legal and extralegal variables, interaction terms between program type and significant legal and extralegal variables were created. Interaction terms were added to Model 1 and, for the sake of parsimony, only significant interactive effects were retained in the model (see Table 2, Model 2).

The only significant interactions were those that included the variables of *gender* and *prior offenses*. The significant positive interaction involving gender (Boys  $\times$  CJC) indicates that the effect of restorative justice on recidivism is mediated by gender. This interaction effect must be interpreted in the context of the main effects. The main effect of gender and restorative justice on recidivism indicates that although restorative justice participation reduces the likelihood of recidivism for all offenders, boys are more likely to recidivate than girls, whether in the program or not. The interaction term indicates that the difference in likelihood of recidivating between boys and girls is even greater in the restorative justice program. Stated differently, program participation does not reduce the likelihood of recidivism for boys with the same effect that it does for girls. Although the interaction term is positive, the main effect of program participation is negative and of greater absolute value, indicating that program participation still has a negative effect on the likelihood of recidivism among boys.

To more easily convey these findings, logit coefficients from Model 2 were used to predict the probabilities of recidivism for juvenile offenders in the treatment and comparison group (see Figure 1).<sup>8</sup> The probabilities were constructed for both boys and girls in the program and in the comparison group. The remaining variables remained constant at the following levels: processed in 2000, White, 14 years old at the time of referral, attending school, person offender, 1.1 prior offenses, and processed in a Community Center.<sup>9</sup> Figure 1 indicates that boys in the restorative justice program had a lower probability of recidivating than did boys in the comparison group (29.7% versus 34.2%). This effect was also exhibited among the girls in the study. Girls in the restorative justice program had a lower probability of recidivating than girls in the comparison group (19.5% versus 29.2%). This figure illustrates the impact of the restorative justice program on recidivism relative to other traditional juvenile court processes and the greater impact the restorative justice program has on girls than boys.



**Figure 1**  
**Estimated Probabilities of a New Petition for**  
**Boys and Girls in Groups**



Note: CJC = Community Justice Committees.

Findings from Model 2 also indicate that the interaction between prior offenses and restorative justice participation (Prior Offenses  $\times$  CJC) has a significant effect on recidivism. The significant main effect of the prior offense variables (i.e., prior offenses and prior offenses<sup>2</sup>) indicates that the effect of prior record and program type on recidivism is not linear. Like in Model 1, as the number of prior offenses increase, the likelihood of recidivating decreases slightly and then increases. Specifically, as the number of prior offenses increases, the probability of recidivating increases more for offenders in the restorative justice program than for offenders in the comparison group. Two important points regarding the Prior Offenses  $\times$  CJC interaction term must be highlighted. First, the main effect of prior offenses and the interaction term come close to canceling each other out ( $.699 - .649 = .05$ ). This indicates that the effect of prior offenses for offenders in the restorative justice program is seen only in the prior offenses<sup>2</sup> term. Because this coefficient is positive, the effect of priors on the likelihood of recidivism is always positive. Thus, as prior offenses increase, the likelihood of recidivism increases for the juveniles in the restorative justice program. The second important point concerns how the effect of CJC is mediated by

the number of prior offenses. The main effect of CJC is negative; however, the interaction term is positive. As the number of prior offenses increases, the effect of CJC is diminished. With zero or one prior offense, CJC decreases the likelihood of recidivism in relation to the comparison group. However, with two or more prior offenses, juveniles in the CJC program were more likely to recidivate than offenders in the comparison group.

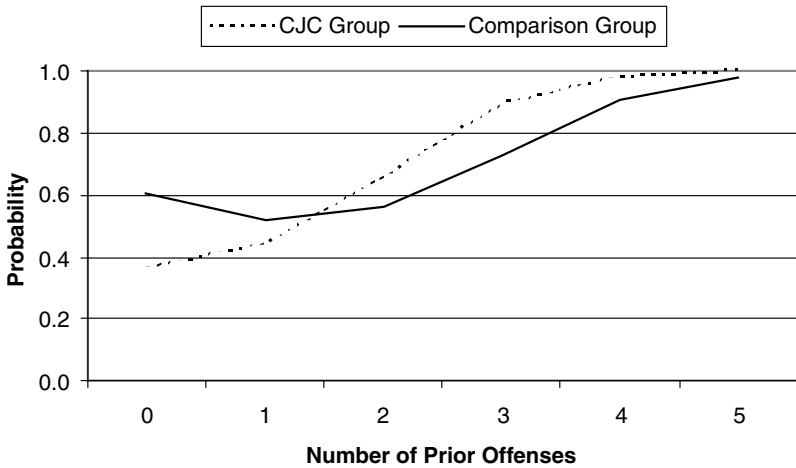
To illustrate this effect, Figure 2 contains predicted probabilities of recidivism for both groups based on the range of prior offenses found in the data. Findings show that offenders in the restorative justice program with zero or one prior offense have lower probabilities of recidivating than offenders in the comparison group (.30 versus .60 and .40 versus .50). As the number of prior offenses increases, offenders in both groups are more likely to recidivate, and this effect is more profound for offenders in the restorative justice group. However, recidivism levels of juveniles in both groups appear to converge for juveniles with five prior offenses.

## Discussion and Conclusion

This study relied on official juvenile court data to measure the influence of a restorative justice program on recidivism in Maricopa County, Arizona. When comparing juveniles in a restorative justice program with juveniles in a comparison group, multivariate analysis shows that after 24 months of successfully completing diversion, juveniles in the restorative justice program had slightly lower rates of recidivism. Further analyses reveal that the effect of restorative justice is mediated by legal and extralegal variables. Although there were no significant interactive effects between offense type, race and ethnicity, and restorative justice, significant effects of the restorative justice program and gender and criminal record were found. Boys and girls in the program were less likely to recidivate than offenders in the comparison group. Furthermore, program participants with zero or one prior offense also had lower rates of recidivism than offenders in the comparison group.

Restorative justice programs offer the unique opportunity for offenders, victims, and community members to work in collaboration with the juvenile court system in finding appropriate resolutions for delinquent offenses. To date, only a few prior studies have empirically demonstrated which type of offenders can most successfully be reintegrated into their communities given restorative justice participation. Although results from this study indicate that this particular restorative justice program can reduce recidivism, especially among certain offenders (i.e., girls, first-time offenders, and offenders with one prior offense), much more research in this area is needed

**Figure 2**  
**Predicted Probabilities of Recidivism**



Note: CJC = Community Justice Committees.

to establish the extent to which restorative justice can be effective in reducing crime.

The results of this study have several implications for the theory of restorative justice and program practice. Community-oriented responses to delinquency must address the gender differences that have been substantially documented in studies of juvenile justice processes (Chesney-Lind & Shelden, 1998; Horowitz & Pottieger, 1991; MacDonald & Chesney-Lind, 2001). Consistent with Hayes and Daly's (2004) finding on gender, the lower rate of recidivism for girls in this restorative justice program provides evidence that restorative justice programs may have a different impact on girls and boys. Because this study relied only on juveniles who had successfully completed the terms of diversion, it indicates that the short-term success (i.e., program completion) experienced by both boys and girls in the restorative justice program produces a more significant long-term impact on girls than on boys. Studies on girls' delinquency have found that effective treatments of girls should be able to respond to their histories of neglect and abuse, focus on relationship building, and involve family-based treatment (Acoca, 1998; Belknap & Holsinger, 1998; Chesney-Lind & Shelden, 1998). Girls' cases within the restorative justice program may have been characterized by a collaborative effort and support system more

akin to that needed by girls. For example, restoration processes that involve a holistic approach to treatment, such as family involvement, drug and alcohol treatment, sexual and physical abuse counseling, and community involvement are likely to be effective for girls (Chesney-Lind, 1997). Pragmatically, these findings lend support to studies that stress the importance in recognizing girls' and boys' differences and ensuring that prevention programs address their unique needs (Bloom, Owen, Deschenes, & Rosenbaum, 2002; Chesney-Lind & Shelden, 1998; Hoyt & Scherer, 1998).

Prior studies have shown that the majority of offenders in restorative justice programs constitute less serious offenders (Umbreit & Greenwood, 1997). This study revealed that person offenders, property offenders, and less serious offenders all took part in the restorative justice program. However, findings indicate that there were no mediating effects between offense type and restorative justice on offenders' recidivism. Consistent with findings from previous juvenile justice research, prior record plays an important role in offender recidivism. First-time and second-time offenders in the restorative justice program appear to respond more positively than all other juveniles examined. The lower recidivism rate among first-time and second-time offenders may be attributed to their minimal criminal and delinquent experiences. The restorative justice program may provide offenders with an early intervention model that leads to reduced recidivism among less criminally involved offenders. The gathering of offenders, victims, families, and community members may present offenders with a collective support system for repairing the harm caused by their offense. At the same time, this type of intervention may be less effective for more chronic offenders who have developed criminogenic tendencies. From a policy perspective, administrators of restorative justice programs may need to consider offenders' prior record in making selections for program participation. It is important to note that because the success of restorative justice programs extends beyond reducing crime, it is certainly possible that offenders with extensive prior records achieve other restorative justice goals (e.g., gain an understating of the harm caused, feel remorseful).

Although this study has provided additional insight on the impact of restorative justice, attention should be devoted to several study limitations. One limitation of this study is the use of only one outcome indicator (i.e., recidivism). Although results show the positive influence that programs of this sort can have in curbing future offending, self-report data from participants (e.g., offenders, families, victims, and community members) to assess other goals of restorative justice were not examined. Also, this particular measure of recidivism does not measure the incidence of recidivism and thus is unable to capture the quality of postintervention. Because this

study relied on data from one large urban jurisdiction, findings may substantially differ in other contextual settings. Findings reported here are not generalizable to all restorative justice programs of juvenile courts. For example, juvenile courts in smaller counties may be characterized by less bureaucratic processes in which juveniles may be more likely to be informally processed, leading to even lower rates of recidivism based on the measure of recidivism used in this study (i.e., official court petition). It is very possible that findings from this study are an artifact of legal, extralegal, and contextual variables not included in this study. Last, the inability to use randomization as a means to examine program effectiveness may be viewed as a limitation of this study.

The findings of this study present several directions for future research. Although this study found no direct or indirect racial and ethnic effects on recidivism, future studies should continue to examine whether biases affect the restoration process of particular juveniles. As the U.S. population becomes more racially and ethnically diverse, attention should be devoted to how race, ethnicity, and culture affect restorative justice procedures and outcomes. The gender differences in recidivism (i.e., lower recidivism rates for girls in the restorative justice program) should be viewed as an opportunity to fully explore girls' and boys' roles in these programs to identify exactly what it is about the restorative process that proves more effective for girls than boys. Studies must also continue to examine the effect of offenders' prior record in restorative justice programs to gauge which offenders are most likely and least likely to succeed in such programs.

Because this study excluded drug offenders from the analysis, the impact of restorative justice on drug offenders remains unknown. Braithwaite (2001) proposes that drug offenders are ideally suited for restorative justice programs because of the close link between crime and substance abuse. According to Braithwaite, restorative justice programs can offer superior commitment and support to drug abusers than therapeutic programs can. Furthermore, individuals who have been hurt by substance abuse should be given an opportunity to express their pain not through the criminalization of substance abuse but through a restorative process. Future studies should examine the extent to which youth support circles, in which juveniles obtain educational and vocational development, can deal with specific problems such as substance abuse (Braithwaite, 2001).

The implementation of neighborhood satellite centers by the juvenile court permitted offenders to remain in their communities and allowed probation officers to become familiar with the unique neighborhood dimensions of offenders' communities. Study findings here indicate that offenders who had their cases processed at these centers were less likely to recidivate

than offenders who had their cases processed at juvenile court. The extent to which participants' communities (e.g., crime rates, racial and ethnic makeup, and poverty level) affect the reintegration process is an important yet ignored focus in restorative justice research. Examining how particular contextual components affect the success of restorative justice programs can provide valuable insight on program effectiveness (Rodriguez, 2005).

Restorative justice as implemented in this jurisdiction has enabled juvenile offenders to meet with their victims, family, and community members and collaboratively respond to their crime. The findings from this study stress the vital role collaborative integrated responses to crime can have on the prevention of delinquency. Although much debate surrounds their appropriateness in the administration of justice, principles of these programs can make a significant impact on particular juvenile offenders. Recognizing that legal (e.g., criminal record) and extralegal (e.g., gender) variables have a direct influence on the success of restorative justice programs provides new directions for restorative justice theory and program practice.

## Notes

1 For a review of the similarities and differences among restorative justice programs, see Bazemore (2005).

2. The failure to consider gender and ethnic differences in program success is a general problem in studies of criminal justice and not just in restorative justice studies.

3. It is important that results from this study be interpreted with caution given the nature of this program. However, this does not preclude researchers from comparing the results reported here to that of prior studies of family group conferencing or reparative boards.

4. Informal conversations with agency officials revealed varying perceptions regarding victims' participation in the Community Justice Committees (CJCs). Some officials reported high victim involvement, whereas others indicated that victims take part in fewer than half of all CJC.

5. Data on characteristics of volunteers were not available for analysis. It is important to note that this lack of data is not unique to this study. A recent meta-analysis of restorative justice programs indicates that "very few, if any, of the studies provided information concerning the education, professional background, or training of the facilitators" (Latimer, Dowden, & Maise, 2005, p. 140).

6. In this study, focus was placed on recidivism among program completers. Although within and between group differences of program completion could have been analyzed, such a study would have to address the difficulties associated with examining recidivism rates across groups when juveniles' experiences before program completion ranged from never reporting to the probation officer after the conference to meeting all terms of their diversion yet failing to show up to the last meeting with the probation officer. Rather than focus on these complex varying processes among noncompleters, emphasis was placed on juveniles who completed program requirements.

7. Offenses were categorized in the following manner: assault, domestic violence assault, and robbery, as person offenses; burglary, possession of stolen property, theft, and motor vehicle

theft as property offenses; running away, truancy, incorrigibility, and curfew violations as status offenses; and loitering, resisting arrest, obstruction, disorderly conduct, alcohol possession, and weapon possession as public order offenses. Specific programs (e.g., drug court and a drug diversion program) have been created to deal with drug offenders in this jurisdiction.

8. Probabilities were calculated using the following formula:  $\Pr(y_i = 1 \mid x_i) = \exp(x_i B) + 1 + \exp(x_i B)$ , in which  $x_i$  is a vector of values for the  $i$ th observation and  $B$  is a vector of parameters (Long, 1997).

9. The values used to compute conditional probabilities represent the majority of offenders in the population (i.e., Whites, juveniles who were attending school, and juveniles who were processed in community centers) and the means of the continuous variables.

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