

Data Driven Decisions

VERMONT COMMUNITY JUSTICE CENTER REPARATIVE PANEL PROGRAMS

OUTCOME EVALUATION FINAL REPORT

Submitted to:

Lisa Bedinger
Community Justice Center Coordinator
South Burlington Community Justice Center
19 Gregory Drive
South Burlington, Vermont 05403

Submitted by:

The Vermont Center for Justice Research
P.O. Box 267
Northfield Falls, VT 05664
802-485-4250

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Submitted By

THE VERMONT CENTER FOR JUSTICE RESEARCH

Research Team

Peter Wicklund, Ph.D., Research Associate

Tim Halvorsen, B.S., Database Consultant

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EXECUTIVE SUMMARY

BACKGROUND

The mission of the Community Justice Network of Vermont, whose members include statewide Community Justice Centers and Community Justice Programs, is to broaden and strengthen Vermont's restorative practices through leadership, advocacy, education, and partnerships. Community Justice Centers (CJCs) are community based, and improve community health and public safety by helping people whose lives are disrupted by conflict or crime. They recognize the potential for citizens to live in harmony with their neighbors and to contribute to the civility and well-being of the community. In addition, CJCs play a key role in successful offender re-entry into communities, including; intensive support services related to employment, housing, mentoring, social life and reparation for the harm caused by their crime.

This outcome evaluation is specifically focused on Community Justice Center (hereafter, "CJC") Reparative Panel programs. CJC Reparative Panel programs work with community members to meet with those affected by crime and those who committed the offense to develop agreements about how to repair the harm caused by the offense, including to affected relationships.

RESEARCH OBJECTIVES

This outcome evaluation of CJC Reparative Panel programs was designed to answer four questions associated with the post-program behavior of offenders who completed a CJC Reparative Panel program from May 2, 2007 to April 19, 2011.

1. Which subjects were convicted of additional crimes after participating in a CJC Reparative Panel program?
2. For those subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, when were they convicted?
3. For those subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, what crimes did they commit?
4. For those subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, in what county did they commit the crimes?

In this evaluation, CJC Reparative Panel program participants were segmented depending on:

1. Whether they were referred to a program pre-adjudication or post-adjudication.
2. Whether or not they successfully completed the program.

EVALUATION METHODS

An outcome evaluation attempts to determine the effects that a program has on participants. The objective of this outcome evaluation was to determine the extent to which program referral and completion are associated with reduced recidivism among participants.

A common indicator of post-program criminal behavior is the number of participants who recidivate -- that is, are convicted of a crime after completing the program. In this study, participants were considered to have recidivated if they were convicted of crimes committed after participating in a CJC Reparative Panel program.

This evaluation analyzed the criminal history records of 1352 subjects who completed a CJC Reparative Panel program between May 2, 2007 and April 19, 2011,¹ using the Vermont criminal history records provided by the Vermont Criminal Information Center (VCIC) at the Department of Public Safety. The criminal history record included all charges and convictions prosecuted in a Vermont Superior Court – criminal division available as of January 21, 2014. These criminal records do not contain federal prosecutions, out-of-state prosecutions, or traffic tickets.

¹ Program participant data was collected from nine CJC Reparative Board programs: Barre, Montpelier, Brattleboro, Burlington, Winooski, Hardwick area, Hartford, Rutland, and St. Johnsbury.

LIMITATIONS

A search of criminal records from the VCIC using names and dates of birth yielded 921 prior and/or post-program criminal records for the 1352 CJC program participants. The reason no criminal records were found for the other 431 subjects may be that they may have had no prior contact with the criminal justice system before committing the crime that resulted in their referral to a CJC program, and they were not convicted of any additional crimes after leaving the program. For the purpose of this study, they were assumed to be non-recidivist. A broader search of court records on a small random sample of the non-matching names was conducted and revealed no additional subjects with criminal records. It is however important to remember that it was not within the scope of this study to confirm if there were inaccuracies in the name/DOB data for all of the subjects that did not have criminal records in the VCIC database. Thus, there is a chance that the recidivism rates reported in this study are understated.

It is also important to remember that, since a valid control sample was not available at the time of this study, it cannot be determined if reported recidivism rates represent significant reductions in recidivism compared to a sample of similar offenders who did not participate in a CJC Reparative Panel program.

CONCLUSIONS

1. The Vermont Community Justice Center (CJC) Reparative Panel programs may provide a promising approach for minimizing recidivism among non-violent offenders. A relatively low recidivism rate of 20.8% was found for CJC participants who were referred to a program pre-adjudication (n=403). CJC program participants who were referred post-adjudication recidivated at a significantly higher rate of 30.1% (n=949).
2. The research also revealed that participant success in completing a CJC Reparative Panel program was correlated with or related to recidivism rate. For both pre- and post-adjudication program participants, subjects that successfully completed a program had significantly lower recidivism rates – 18.1% vs. 30.1% for pre-adjudication participants, and 27.1% vs. 41.4% for post-adjudication participants.

It is important to remember that, since a valid control sample was not available at the time of this study, it cannot be determined if these recidivism rates represent a significant reduction in recidivism compared to a similar sample of subjects who had not participated in a CJC Reparative Panel program. In other words, one cannot assume that CJC Reparative Panel program participation caused reduced recidivism since other factors associated with participant's likelihood of participating and completing a program may also be associated with the likelihood of recidivism.

3. CJC Reparative Panel programs were shown to be effective in keeping their participants conviction-free in the community within the first year after program completion. Analysis of when participants were convicted revealed a recidivism rate of only 12.1% for the total study cohort during the post-program time period of less than one year.
4. CJC Reparative Panel program recidivists were convicted for 1231 crimes during the follow-up period, of which over 90% were misdemeanors. The five most frequent types of crimes, comprising over 60% of the total were (listed in descending order): DMV, theft, assault, violations of probation, and DUI.
5. Approximately 93% of crimes for which the pre-adjudication CJC Reparative Panel program recidivists were convicted, were committed in (listed in order of frequency): Chittenden, Washington, Rutland, Caledonia, and Windsor counties. For the post-adjudication recidivists, over 85% of their post-Reparative Panel program crimes occurred in (listed in order of frequency): Chittenden, Washington, Caledonia, Windham, and Orange counties.

RESEARCH QUESTION 1: Which subjects were convicted of additional crimes after participating in a CJC Reparative Panel program?

Summary of Findings

Table 1A shows a summary of recidivism rates for CJC Rep Panel program participants. Examining the criminal records of the 1352 participants revealed that a total of 370 subjects, or 27.4%, were convicted of some type of crime after program completion. The recidivism rate for the subjects referred to a CJC Reparative Panel program pre-adjudication was significantly less than the rate for the subjects who were referred post-adjudication (20.8% vs. 30.1%, respectively).

Table 1A
Recidivism Rates – Pre and Post-adjudication

	Pre-Adjudication		Post-Adjudication		Total	
	Count	%	Count	%	Count	%
Recidivist	84	20.8%	286	30.1%	370	27.4%
Non-recidivist	319	79.2%	663	69.9%	982	72.6%
Total	403	100.0%	949	100.0%	1352	100.0%

Note: Shaded values in the same row are significantly different at $p < 0.05$ in a two-sided test of equality for column proportions. Tests assume equal variances.

The study cohort was further segmented according to whether or not participants successfully completed a CJC Reparative Panel program. Tables 1B and 1C summarize the recidivism rates for those who were referred pre-adjudication and post-adjudication by whether they recidivated or not and whether they successfully completed the program or not. Seventy eight percent of total participants (1056 of 1352) were successful in completing a CJC Reparative Panel program. Tables 1B and 1C show that program success has a significant effect on recidivism rate. For both pre- and post-adjudication program participants, subjects who successfully completed the program had significantly lower recidivism rates. Successful pre-adjudication participants recidivated at a significantly lower rate than successful post-adjudication participants (18.1% vs. 27.1%, respectively).

It is important to remember that, since a valid control sample was not available at the time of this study, it cannot be determined if these recidivism rates represent a significant reduction in recidivism compared to a similar sample of subjects who had not participated in a CJC Reparative Panel program. In other words, one cannot assume that CJC Reparative Panel program participation caused reduced recidivism since other factors associated with participants likelihood of participating and completing a program may also be associated with the likelihood of recidivism.

Table 1B
Recidivism Rates – by CJC Reparative Panel Program Success
Pre-Adjudication

	Successful Completion of CJC Program					
	Yes		No		Total	
	Count	%	Count	%	Count	%
Recidivist	56	18.1%	28	30.1%	84	20.8%
Non-recidivist	254	81.9%	65	69.9%	319	79.2%
Total	310	100.0%	93	100.0%	403	100.0%

Note: Shaded values in the same row are significantly different at $p < 0.05$ in the two-sided test of equality for column proportions. Tests assume equal variances.

Table 1C
Recidivism Rates – by CJC Reparative Panel Program Success
Post-Adjudication

	Successful Completion of CJC Program					
	Yes		No		Total	
	Count	%	Count	%	Count	%
Recidivist	202	27.1%	84	41.4%	286	30.1%
Non-recidivist	544	72.9%	119	58.6%	663	69.9%
Total	746	100.0%	203	100.0%	949	100.0%

Note: Shaded values in the same row are significantly different at $p < 0.05$ in the two-sided test of equality for column proportions. Tests assume equal variances.

RESEARCH QUESTION 2: For those subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, when were they convicted?

Summary of Findings

The calculation summarized in the previous section represents the recidivism rate at the time this study was conducted. This section considers how long a subject was away from a CJC Reparative Panel program and was therefore eligible to recidivate.

Table 2A presents recidivism data for the 403 pre-adjudication CJC program participants by the number of subjects who were eligible to recidivate during a specific time period and the number who were convicted during this same time period. Table 2B summarizes the same analysis for the 949 post-adjudication participants. In Table 2A under the column “< 1 Year”, the data show that all 403 subjects were eligible to recidivate for less than one year. Of these 403 subjects, 36 were convicted of crimes during that time period yielding a recidivism rate of 8.9%.

Table 2B shows a significantly higher recidivism rate of 13.9% for the 949 post-adjudication participants that were eligible to recidivate during the same time period. Data in Tables 2A and 2B in the columns “During Year 1” show the recidivism status of subjects who were away from a CJC Reparative Panel program for one full year up to two years. Results show a significant decrease in recidivism rates for both the pre and post-adjudication participants (5.2% and 7.2%, respectively). Overall Tables 2A and 2B show that recidivism rates continue to decrease steadily as time away from program completion increases. The results in Tables 2A and 2B also show that about 82-86% of recidivism occurred within three years of leaving a CJC Reparative Panel program.

**Table 2A
Time to Recidivate by Years of Eligibility to Re-offend
Pre-Adjudication**

Post-Program Elapsed Time	< 1 Year	During Year 1	During Year 2	During Year 3	During Year 4	5 Years or Longer
Number of Participants Who Recidivated During the Time Period	36	21	12	7	7	1
Total # of Participants Who Were Eligible to Recidivate During the Time Period*	403	403	403	403	328	202
% Recidivated	8.9%	5.2%	3.0%	1.7%	2.1%	0.5%

*Data in this row represent all participants who completed a CJC Reparative Panel program for certain time periods. Participants may appear in more than one column based on the longevity of their post-Reparative Panel program elapsed time. For example each of the 328 participants who completed a CJC Reparative Panel program and appear in the “During Year 4” column also appear in the “< 1 Year”, “During Year 1”, “During Year 2”, and “During Year 3” columns because having completed four years of post- Reparative Panel elapsed time, they necessarily have also completed less than one year, one year, two years, and three years.

Table 2B
Time to Recidivate by Years of Eligibility to Re-offend
Post-Adjudication

Post-Program Elapsed Time	< 1 Year	During Year 1	During Year 2	During Year 3	During Year 4	5 Years or Longer
Number of Participants Who Recidivated During the Time Period	127	68	50	30	9	2
Total # of Participants Who Were Eligible to Recidivate During the Time Period	949	949	949	942	755	579
% Recidivated	13.4%	7.2%	5.3%	3.2%	1.2%	0.3%

RESEARCH QUESTION 3: For subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, what crimes did they commit?

Summary of Findings

Table 3 shows that post-CJC Reparative Panel program recidivists were convicted of a total of 1231 crimes during the six year follow-up period, of which 91.9% were misdemeanors. There was no significance difference in offense levels between pre and post-adjudication participants.

**Table 3
Offense Levels for All Post-Program Convictions**

	Pre-Adjudication		Post-Adjudication		Total	
	Count	%	Count	%	Count	%
Felony	28	10.7%	72	7.4%	100	8.1%
Misdemeanor	233	89.3%	898	92.6%	1131	91.9%
Total	261	100.0%	970	100.0%	1231	100.0%

Table 4 shows the types of post-program crimes for which the subjects were convicted. Recidivists averaged 3.3 reconvictions with a median of two and a maximum of 25. There was no significant difference in average number of reconvictions between pre and post-adjudication groups. The five most frequent types of crimes, comprising over 60% of the total, were (listed in descending order): DMV, theft, assault, violations of probation, and DUI.

Table 4
All Post-Program Crimes for Which Subjects Were Convicted

	Pre-Adjudication		Post-Adjudication		Total	
	# of Convictions	%	# of Convictions	%	# of Convictions	%
DMV Violations	43	16.5%	182	18.8%	225	18.3%
Theft	53	20.3%	143	14.7%	196	15.9%
Assault	15	5.7%	110	11.3%	125	10.2%
Violation of Probation	17	6.5%	94	9.7%	111	9.0%
DUI Violations	35	13.4%	73	7.5%	108	8.8%
Failure to Appear	16	6.1%	77	7.9%	93	7.6%
Disorderly Conduct	16	6.1%	67	6.9%	83	6.7%
Drug Offense	12	4.6%	55	5.7%	67	5.4%
Unlawful Trespass	15	5.7%	28	2.9%	43	3.5%
Vs Justice*	10	3.8%	28	2.9%	38	3.1%
Fraud	5	1.9%	32	3.3%	37	3.0%
Alcohol Violation	5	1.9%	22	2.3%	27	2.2%
Unlawful Mischief	8	3.1%	15	1.5%	23	1.9%
Escape	4	1.5%	12	1.2%	16	1.3%
Fish & Game Violation	2	0.8%	8	0.8%	10	0.8%
TRO Violation	1	0.4%	8	0.8%	9	0.7%
Disturbing the Peace	0	0.0%	6	0.6%	6	0.5%
Other	4	1.5%	10	1.0%	14	1.1%
Total	261	100.0%	970	100.0%	1231	100.0%
Number of Recidivists	84		286		370	
Mean # of Convictions	3.1		3.4		3.3	
Median # of Convictions	2		2		2	
Max # of Convictions	15		25		25	

* Contempt, false alarms, resisting arrest, etc.

RESEARCH QUESTION 4: For subjects who were convicted of additional crimes after participating in a CJC Reparative Panel program, where did they commit the crimes?

Summary of Findings

Table 5A shows the counties in which the pre-adjudication program recidivists were convicted. Approximately 93% of crimes were committed in Chittenden, Washington, Rutland, Caledonia, and Windsor counties.²

Table 5A
County Where Recidivism Occurred – Pre-Adjudication

	Chittenden		Washington		Rutland		Caledonia		Windsor		Other Counties*	
	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%
Theft	25	21.6%	11	21.2%	6	13.0%	0	0.0%	4	30.8%	7	36.8%
DMV Violations	17	14.7%	6	11.5%	14	30.4%	2	13.3%	2	15.4%	2	10.5%
DUI	18	15.5%	5	9.6%	5	10.9%	4	26.7%	0	0.0%	3	15.8%
Violation of Probation	3	2.6%	0	0.0%	8	17.4%	1	6.7%	5	38.5%	0	0.0%
Failure to Appear	4	3.4%	10	19.2%	2	4.3%	0	0.0%	0	0.0%	0	0.0%
Disorderly Conduct	9	7.8%	2	3.8%	2	4.3%	2	13.3%	1	7.7%	0	0.0%
Unlawful Trespass	13	11.2%	0	0.0%	1	2.2%	1	6.7%	0	0.0%	0	0.0%
Assault	5	4.3%	6	11.5%	3	6.5%	0	0.0%	0	0.0%	1	5.3%
Drug Offense	4	3.4%	2	3.8%	0	0.0%	3	20.0%	0	0.0%	3	15.8%
Vs Justice	7	6.0%	0	0.0%	0	0.0%	0	0.0%	1	7.7%	2	10.5%
Unlawful Mischief	2	1.7%	3	5.8%	3	6.5%	0	0.0%	0	0.0%	0	0.0%
Fraud	1	0.9%	4	7.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Alcohol Violation	1	0.9%	1	1.9%	0	0.0%	2	13.3%	0	0.0%	1	5.3%
Escape	2	1.7%	2	3.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	5	4.3%	0	0.0%	2	4.3%	0	0.0%	0	0.0%	0	0.0%
Total	116	100.0%	52	100.0%	46	100.0%	15	100.0%	13	100.0%	19	100.0%

* Other counties included: Franklin, Addison, Orange, Bennington, and Windham

² CJC Reparative Board participant data was collected from seven counties: Caledonia, Chittenden, Lamoille, Rutland, Washington, Windham, and Windsor.

Table 5B shows the counties where the post-adjudication program recidivists were convicted. Approximately 85% of crimes were committed in Chittenden, Washington, Caledonia, Windham, and Orange counties.

Table 5B
County Where Recidivism Occurred – Post-Adjudication

	Chittenden		Washington		Caledonia		Windham		Orange		Other Counties	
	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%	# of Conv.	%
DMV Violations	42	13.7%	58	24.4%	26	19.3%	12	12.0%	7	15.2%	37	25.7%
Theft	55	17.9%	36	15.1%	18	13.3%	13	13.0%	0	0.0%	21	14.6%
Assault	52	16.9%	17	7.1%	16	11.9%	6	6.0%	8	17.4%	11	7.6%
Violation of Probation	12	3.9%	30	12.6%	11	8.1%	18	18.0%	12	26.1%	11	7.6%
Failure to Appear	14	4.6%	25	10.5%	16	11.9%	12	12.0%	3	6.5%	7	4.9%
DUI	28	9.1%	18	7.6%	5	3.7%	7	7.0%	6	13.0%	9	6.3%
Disorderly Conduct	32	10.4%	11	4.6%	5	3.7%	9	9.0%	2	4.3%	8	5.6%
Drug Offense	14	4.6%	9	3.8%	10	7.4%	5	5.0%	0	0.0%	17	11.8%
Fraud	16	5.2%	2	0.8%	3	2.2%	9	9.0%	1	2.2%	1	0.7%
Vs Justice	12	3.9%	5	2.1%	4	3.0%	2	2.0%	1	2.2%	4	2.8%
Unlawful Trespass	13	4.2%	4	1.7%	3	2.2%	0	0.0%	3	6.5%	5	3.5%
Alcohol Violation	2	0.7%	12	5.0%	7	5.2%	0	0.0%	1	2.2%	0	0.0%
Unlawful Mischief	6	2.0%	3	1.3%	3	2.2%	1	1.0%	0	0.0%	2	1.4%
Escape	2	0.7%	6	2.5%	1	0.7%	2	2.0%	1	2.2%	0	0.0%
Other	4	1.3%	2	0.8%	1	0.7%	1	1.0%	0	0.0%	2	1.4%
TRO Violation	2	0.7%	0	0.0%	4	3.0%	0	0.0%	0	0.0%	2	1.4%
Fish & Game Violation	1	0.3%	0	0.0%	1	0.7%	0	0.0%	0	0.0%	6	4.2%
Disturbing the Peace	0	0.0%	0	0.0%	1	0.7%	3	3.0%	1	2.2%	1	0.7%
Total	307	100.0%	238	100.0%	135	100.0%	100	100.0%	46	100.0%	144	100.0%

* Other counties included: Windsor, Rutland, Addison, Franklin, Lamoille, Orleans, Essex, and Bennington.