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The following report shows many positive results for those participating in Restorative Justice Juvenile Diversion. This includes positive outcomes for juvenile offenders, community members, and, importantly, victims. The findings in this report show high levels of satisfaction for all three groups, along with more specific findings about attitudinal changes with juvenile offenders and lowered rates of recidivism. Overall, the Colorado Restorative Justice Council (RJ Council) is pleased with the findings of the report.

One specific set of findings that the RJ Council is particularly interested in is how RJ Juvenile Diversion impacts victims. This report shows two things that the RJ Council wants to highlight:

1. 97% of victims who participated in an RJ intervention were either satisfied or highly satisfied with their experience.
2. Of the RJ processes that included direct victim participation, recidivism rates were 7.2%, even lower than the 8.2% overall recidivism rate of the entire study.

These two significant findings will assist the RJ Council in developing strategies to help ensure victims have the information necessary to make informed choices regarding whether to participate in restorative justice practices.

The RJ Council would like to thank all of those who have worked to make this study possible. We believe the findings contained herein will be critical in allowing for data-driven decisions in both how we can best impact juvenile offenders, and in how we can most appropriately provide resources and services to those impacted by their offenses.

The Colorado Restorative Justice Coordinating Council

Restorative Justice in Juvenile Diversion: An Evaluation of Programs Receiving Colorado RJ Cash Funds

Submitted To: The State Court Administrator's Office

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Restorative Justice in Juvenile Diversion: An Evaluation of Programs Receiving Colorado RJ Cash Funds

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Executive Summary

In 2013, the Colorado State Legislature approved and the Governor signed House Bill 13-1254 creating funding for the development of restorative justice programs in Colorado. The initial effort created four pilot programs in four judicial districts to provide restorative justice options within District Attorney based juvenile diversion programs and was later expanded to include community-based restorative justice programs. The evaluation included seven programs across Colorado, involving 860 youths and 357 participating victims, and this report reflects analysis of data collected from the pilot phase, October 2014 through June 2018.

The vast majority (88%) of youth were served by three pilot sites that were engaged through the full study and represent three distinct areas of the state: 19th JD (Weld), 20th JD (Boulder) and 12th JD (San Luis Valley). Nearly two-thirds of youth were identified as White (65%) and nearly half (48%) identified as Hispanic/Latino (33% identified as both White and Hispanic/Latino). The sample of youth that are reflected in this report was 55% male and 44% female, and the average age of offending youth was 14.6 years old.

Recidivism rates overall for restorative justice participants were low, with only 8.2% of youths reoffending either during or in the one year after their participation in restorative justice. This is an overall low recidivism rate with 91.8% of all youth staying out of the justice system in the year after participating in restorative justice.

Of youth who had successfully exited from a Restorative Justice Program for a full year (n=650), **8.2% of youth recidivated.**

Of youth that participated in a process and completed diversion (n=860), 97% of youth successfully completed their restorative justice contracts. Participants overwhelmingly indicated their satisfaction with their restorative justice experience. 98% of youth who had offended reported that they agreed or strongly agreed that they were highly satisfied with their restorative justice experience. Similarly, 97% of victims and 98% of other participating community members reported that they agreed or strongly agreed with this statement. According to participants' responses on the satisfaction questions, restorative justice *does* improve participants' experience with the justice system and nearly all participants would recommend restorative justice to others.

Youth participating in restorative justice are showing strong statistically significant increases in their sense of accountability and also demonstrating significant positive increases on connection to adults (both familial and non-familial), empathy, remorse, and sense of accountability.

Conclusions & Recommendations¹

Offending youth who are served by restorative justice programs are showing an increase in protective factors (connection to adults, locus of control) and ability to connect with the victim (remorse, empathy, and sense of accountability). Youth report very positive feelings of satisfaction with restorative justice process as well. Additionally, an overall low recidivism rate indicates that restorative justice is having a positive impact on the youth and supporting them in staying out of the criminal justice system in the year after participation.

Victims who provided satisfaction data expressed very positive experiences, and report that restorative justice improved their experience with the justice system. However, primary victims participated in only 51% of cases served through restorative justice and victims provided satisfaction data in only 36% of cases.

Several recommendations have been identified to further refine efforts and increase the ability to answer important questions in the field of restorative justice. Further discussion of these recommendations can be found in the full report.

- **Identify opportunities to define a common understanding of restorative justice programming and thus examine program fidelity.** The field of restorative justice continues to discuss, but does not agree upon a common definition of restorative justice. The result is a lack of clarity about how or whether programs are similar in their approaches to restorative justice. Efforts should be undertaken to examine core components of each program to identify opportunities for evaluating program fidelity.
- **Additional efforts should be undertaken to train programs on victim engagement** to ensure programs feel empowered and equipped to engage victims in the restorative justice process and also to determine whether cases without victim involvement are appropriate for restorative justice models being implemented. While those victims who have provided satisfaction data demonstrate high levels of satisfaction, they currently represent only a small portion of the cases referred to restorative justice.
- **Continue to engage with referral sources.** During the most recent two fiscal years, no referrals were received from police/sheriff's offices. While reasons for this are unclear, it remains important for restorative justice programs to share the positive evaluation findings and strengthen relationships with law enforcement and other referral sources.

¹ Full discussion of findings from the evaluation can be found in the body of the full report.

Background

In 2013, the Colorado State Legislature approved and the Governor signed House Bill 13-1254 creating funding for the development of restorative justice programs in Colorado. The initial effort created pilot programs in four judicial districts (10th, 12th, 19th, and 20th) to provide restorative justice options within District Attorney based juvenile diversion programs. The State Court Administrator's Office (SCAO), in coordination with the Colorado Restorative Justice Council (RJ Council) oversaw the pilot effort to develop and implement restorative justice programs in each district. The 10th JD withdrew and in July 2016 and 2017, five additional community-based programs in other locations were funded and added to the study.

OMNI Institute (OMNI) has been the primary evaluator of this funding effort since 2014. Initially, OMNI was responsible for the evaluation of the pilot programs in order to document their implementation and impacts, and satisfy legislative requirements for monitoring and reporting. Over time, the legislative requirements as well as the RJ Council's funding priorities have changed and the evaluation has been adjusted accordingly. In July 2017 eight programs, three of which participated in the pilot, were funded by the RJ Council to implement juvenile restorative justice programming. These programs included both intervention programs, occurring at the point of diversion from a court filing, and prevention programs in schools. At the request of SCAO, the evaluation focused on restorative justice efforts conducted following an intervention, which included seven of the funded programs, rather than prevention efforts. In most cases, these interventions occurred as a result of the youth taking part in diversion, but some occurred following a school rule violation that would not have resulted in a charge.

Several core evaluation questions², listed below, were the focus of this evaluation³ and the impetus for revising the data collection materials.

1. Does restorative justice help reduce recidivism of offending youth?
2. Does participation in restorative justice improve the experience of offending youth, victims, and other participants within the justice system?
3. What factors predict more positive restorative justice outcomes for the offending youth, victim, and the related community?

Answers to these questions help document whether the restorative justice programs have been effective in referring and serving eligible youth, addressing harm to victims and the community, and

² Questions 1 and 2 were original to the pilot effort and question 3 was added in July 2016.

³ Two additional evaluation questions were also of interest to the Restorative Justice Council, but not intended to be answered by the evaluation. These included 1) Is restorative justice cost effective? 2) what are best practices for restorative justice, and what are challenges and opportunities for implementing these with fidelity?

reducing youth recidivism through programming that promotes the principles of restorative justice: relationships, responsibility, respect, repair of harm, and reintegration.

This report reflects analysis of data collected from the pilot phase through the present (October, 2014 through June, 2018).

Methods

Evaluation Plan and Measurement Tools

During the fall of 2016, all measurement tools and data systems were updated to provide data to answer the three research questions being addressed by the evaluation. During Fiscal Year 2017-2018, no new changes were made to the measurement tools. Data collection tools included,

- Surveys completed by offending youth, victims, and participating community members (for assessing pre- and post-program accountability among offending youth; and satisfaction for all parties following participation in the restorative justice process),
- Referral information, demographics⁴ of the youth, and victim participation data captured by each restorative justice program, and
- Recidivism data provided to the evaluation from the Colorado Division of Criminal Justice and SCAO.

OMNI provided training to program staff, and initiated ongoing evaluation work including survey data entry, regular auditing of the data, and provision of evaluation technical assistance to support timely data collection, data submission and resolution of data and database related issues.

These efforts have created a basic infrastructure to support standardized data collection, allowing for systematic data collection and analysis of restorative justice efforts across multiple programs.

Measures

As noted in the literature, one of the most frequently measured outcomes of restorative justice programs is satisfaction of victims and offenders.⁵ Measures of program success commonly provide insight into offender and victim perceptions of fairness, and the restorative justice process itself.

⁴ In addition to male and female, transgender, gender queer, and gender neutral were added. Further, ethnicity was separated from the race variable so that Hispanic or Latino ethnicity was captured in a separate question from participants' race.

⁵ Brooks, A. (2013). Moving forward: Two approaches to repairing the harm through restorative justice. American University, Washington, DC.

More recently, restorative Justice evaluations have increased their focus towards understanding the outcomes for those who participate in the process. Researchers have intensified the call for evaluations that extend beyond measuring satisfaction and monitoring process data, not only to benefit local organizations and policy makers, but to expand the body of research for restorative justice. This transition is in its early stages and there is much that remains unknown about psychosocial outcomes of restorative justice programs for offenders, victims, and the community. More recently, evaluations of restorative justice have increasingly incorporated measures designed to assess additional outcomes for both offenders and victims. The literature notes that for offenders, relevant outcomes include increases in: locus of control⁶, empathy, moral communication, relationship building, and relationship repair⁷, among others. SCAO, the RJ Council, and OMNI have worked together to support the collection of data that provide new opportunities for the restorative justice field to refine its methods.

OFFENDER MEASURES

Youth demographic and background information were captured by program staff and entered into a central case management software system, Efforts to Outcomes (ETO), managed by OMNI. Data captured included individual- and case-level process measures such as the referral source, offense level and type, and the restorative justice processes implemented. Offenders completed a pre-survey on paper at the beginning of their involvement in the restorative justice program and a post-survey immediately following the restorative justice process. From the beginning of the pilot evaluation, offenders answered questions related to their sense of accountability; however, starting in the fall of 2016, the updated surveys included several additional short-term outcomes that were incorporated into the pre- and post-surveys for offenders. The short-term outcomes include:

1. Connection to Adults (i.e. feelings of connectedness to both familial and non-familial adults),
2. Empathy (i.e. ability to empathize with others),
3. Locus of Control (i.e. sense of control over the events in one's life),
4. Remorse (i.e. feelings of remorse related to the specific offense for which they were referred),
and
5. Sense of Accountability (i.e., feelings of responsibility for one's offense and recognition of the harm it caused to others).

These outcomes, each comprised of multiple questions, were collected from offenders on both the pre- and post-survey to assess positive change. During Fiscal Year 2016-2017, newly funded programs expressed concern that the use of victim language on the survey instruments did not fit their program context, particularly for programs implementing in schools. There was also concern that not all youth

⁶ Beech, A.R. & Chauhan, J. (2013). Evaluating the effectiveness of the Supporting Offenders through Restoration Inside (SORI) Programme delivered in seven prisons in England and Wales. *Legal and Criminological Psychology*, 18, 229-239.

⁷ Wood, W. R., & Suzuki, M. (2016). Four challenges in the future of restorative justice. *Victims & Offenders*, 1-24.

offenses have a clear victim (for example, drug charges), thus making questions that refer to a ‘victim’ not applicable to the offending youth. In consultation with the agencies and SCAO, OMNI created two versions of each survey; one using the term ‘victim’ and the other using ‘harmed party’. Agencies chose which version they felt best served their population. To ensure youth understood how to answer the questions related to the ‘victim’ or ‘harmed party’, additional directions were added to the survey directing the participant to request help from the survey administrator if he or she was uncertain about who was considered the victim or harmed party.

Satisfaction questions were captured from offenders on the post-survey which was typically completed immediately after the restorative justice process. Questions focused on participation in the restorative justice process, experience interacting with others in the restorative justice process, and their overall satisfaction with the experience. Specific questions are displayed in the example surveys in Appendix A as well as in the Results section of this report.

Finally, recidivism data on participating youth from the pilot evaluation⁸ were requested from the Colorado Judicial Department. The data were then analyzed to better understand the long-term impact of restorative justice on youths’ likelihood to re-offend. During the pilot phase, Restorative Justice Legislation specified the importance of examining, for any youth who participated in the restorative justice programs, any subsequent filings within one year of referral to the juvenile diversion restorative justice program. The current evaluation continues to use this definition.

VICTIM MEASURES

Programs were asked to track information about victims’ participation in the restorative justice process as well as reasons why a victim did not participate in restorative justice, if applicable.

Victims were asked to complete a satisfaction survey following participation in the restorative justice process. As with the offender satisfaction survey, questions focused on the victim’s participation in the restorative justice process, experience interacting with others in the restorative justice process, whether their needs were met, and their overall satisfaction with the experience. Additionally, the victim survey was updated in 2016 to include questions related to locus of control to understand how much power victims feel over the events in their life following their participation in restorative justice. Only post-process surveys are available for victims, thus change in locus of control cannot be assessed between pre-restorative justice process and after restorative justice process.

COMMUNITY MEMBER MEASURES

Community members were asked to complete a survey following their participation in the restorative justice process. Questions focused on community members’ roles (such as offender’s parent, police

⁸ In order to be included in the recidivism calculations, youth must be exited from their program for a full year. This report includes recidivism data only on those youth who participated in the pilot programs and had exited restorative justice by June 30, 2016.

officer, volunteer, etc.), and, as with the satisfaction survey for offenders and victims, their participation in the restorative justice process, experience interacting with others in the restorative justice process, and their overall satisfaction with the experience.

Sample

As noted above, evaluation efforts primarily focused on diversion programming and school offenses that would have resulted in a charge without successful completion of restorative justice. However, a few programs also served youth who had committed an offense in a school that would not have resulted in a charge. Data captured from these school rule violations are examined separately. School-based prevention efforts such as restorative practices training and implementation, were not captured through the evaluation, thus, for Teens, Inc., the program solely committed to prevention efforts, no data are represented in this evaluation report.

OFFENDER PROCESS AND OUTCOME DATA

Youth served by the restorative justice programs were participating in pre-filing diversion or school rule violations for which there was no charge. The data analyzed and included in this report include those who began participating in restorative justice between October, 2014⁹ and June 30, 2018¹⁰. Since satisfaction and post-outcome data were not captured until *after* the restorative justice process, analyses to understand offender satisfaction and change in short-term outcomes from pre- to post-survey included only those who began a diversion program, participated in a restorative justice process and completed the program. The number of juvenile offenders associated with each case ranged from one to nine. Of those that had participated in a process *and* completed diversion (n=860), 97% of youth successfully completed their restorative justice contracts. While repair of harm is one of the key principles/values of Restorative Justice, it does not imply that all the harms experienced by a victim have been or even could have been addressed or repaired in a single Restorative Justice process. However, successful completion of a Restorative Justice contract indicates that the steps agreed upon to address the specific harms identified in the contract were completed. The 860 youth represent 677 cases that were referred to restorative justice.

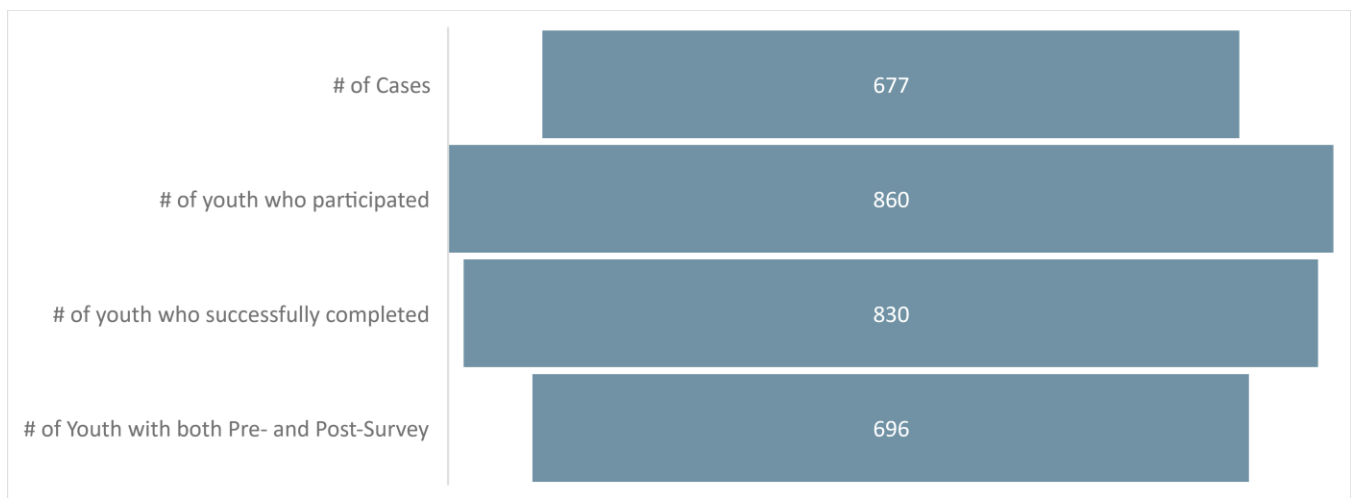
⁹ This was the first month of the pilot that programs were required to enter data into the case management software and collect pre- and post-surveys.

¹⁰ When these data differed from data collected during the pilot period (October, 2014 through June, 2016) it is noted throughout the report.

Youth included in the analyses were identified as ‘suitable’ for restorative justice, ‘accepted’¹¹ by the restorative justice program and were within the juvenile age range (10-17¹²) at the time of offense. Any youth outside of these parameters was not included. Additionally, the number of youth (n) included for each item may vary as a result of missing data or data that did not fit diversion criteria¹³.

Of the 860 youth who participated in a restorative justice process and completed diversion (successfully or unsuccessfully), 81% of youth (n=696) completed both the pre- and post-survey. Figure 1, below, displays the numbers of youth at each data point.

Figure 1. Diversion Offender Participation



While the original legislation included consideration of only district level juvenile diversion referrals to restorative justice, it was expanded in 2015 to allow petty and municipal charges to be eligible for restorative justice juvenile diversion. While the majority of youths served by the restorative justice programs are youth being diverted from the criminal justice system, several programs¹⁴ served youth through a preventative school-based restorative justice program or received school referrals where the youth have committed a school rule violation, but would not actually be charged for a criminal offense (n=85). Seventy-six of these youth participated in a process and completed the diversion program and

¹¹ Youth were sometimes not accepted into diversion despite being initially considered as suitable because the youth, parent, or guardian declined the program, agency rejected the case after file review, agency rejected the case after intake meeting, offender re-offended after deemed suitable and before pre-process services, or offender was no longer able to participate (geographically, physically, emotionally, etc.)

¹² Though programs are charged with serving 10 – 17 year olds, four youth turned 18 prior to their referral to the restorative justice program; thus 18 year olds are served by the programs and their data are included in this report.

¹³ For example, if a level of charge was outside of what was expected to be included in the restorative justice pilot (i.e. Class 1 Felony), these data were recoded as missing given the likely data entry error.

¹⁴ While Teens, Inc. and La Plata Youth Services programming were solely based in school settings, Full Circle and YouthZone also served youth through this grant who were referred to restorative justice for a school rule infraction.

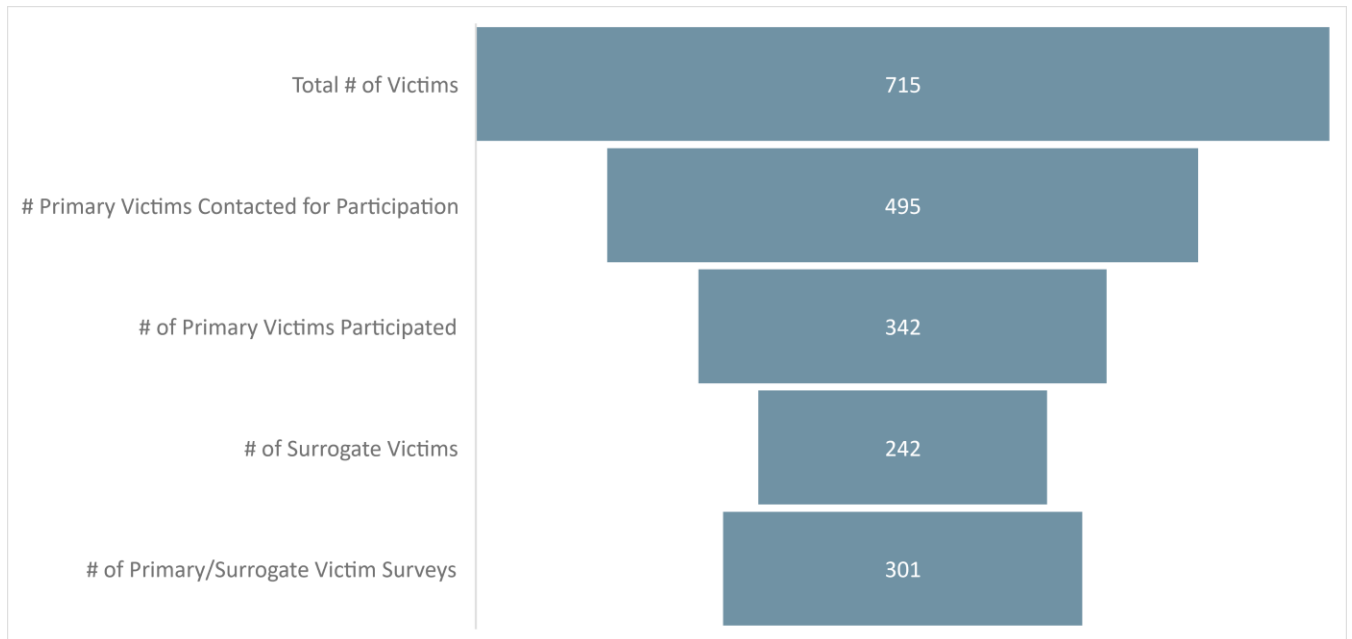
24 completed both a pre- and post-surveys. Results for school rule violations are presented in a separate section of this report.

VICTIM POST SURVEYS

Of the 677 cases referred to restorative justice and completed a process and contract, victim information was available for 587 cases for 715 victims. Of those, 71% (n=495) were contacted for participation, yet only 51% (n=357) actually participated in a restorative justice process. Of those who participated, 84% (n=301) completed a satisfaction survey following participation in the restorative justice process representing 243 cases which is only 36% of the total number of cases served.

In some cases, youths were counted as both offender and victim (n=84) due to the mutual responsibility for harm to each other. Given the challenge in asking youth to separate their experiences as an offender and then as a victim, the standard protocol was to administer only the offender survey to youth representing both an offender and victim. This process was established since the offender survey contained similar measures as the victim survey while also ensuring pre- and post-data would be collected on the short-term outcomes. The data reflected in this report from victims include only individuals who were identified solely as a victim.

Figure 2. Victim Participation



In Figure 2, above, the combination of primary and surrogate victims is greater than the number contacted because some programs use surrogate victims rather than primary victims (such as RESTORE).

Primary victims were most likely to participate in misdemeanor (44%) or petty (24%) cases. Cases with primary victims were most frequently offenses against a person¹⁵ (39%) or drug charges (26%).

Cases referred to restorative justice for a theft charge were most likely to have surrogate victims (77%).

Few primary or surrogate victims participated in school rule violations (n=10), thus data are not included in this report for victims of school rule violations.

SATISFACTION DATA FOR ALL PARTICIPANTS

Data included in the satisfaction results include responses from youth offenders, victims, and community members. Of the completed cases represented in this dataset, 736 offenders¹⁶, 301 victims¹⁷, and 1,600 community members provided satisfaction data.

RECIDIVISM

In order to assess recidivism as a long-term outcome, OMNI and SCAO worked with the Division of Criminal Justice (DCJ) to obtain information on statewide district and county level offenses and filings for all youth who had exited restorative justice programming. Analysis and observations reflect only filings (and do not include arrests that did not result in a filing) that occurred while youth were in the restorative justice program and in the year following restorative justice program participation. Filing data were extracted from the Judicial Department's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) by DCJ's Office of Research and Statistics and analyzed by OMNI. These data informed whether individuals met the criteria for recidivism for diversion as defined by DCJ and adopted by the RJ Council: a filing or filings for a new offense up to one year after a youth has exited the program. While some offenses that resulted in referrals to restorative justice for juvenile diversion were municipal level offenses, only statewide district and county level data were available on which to calculate recidivism rates.

Interviews with School-Based Restorative Justice Programs

As noted previously, school-based preventative restorative justice work is not included in this evaluation. However, in order to better understand how an evaluation might be implemented in the funded school-based restorative justice programs, additional qualitative evaluation efforts were undertaken to understand the work being done in the school based programs. Interviews were conducted with four programs (La Plata Youth Services, Teens, Inc., Full Circle, and YouthZone) that were receiving referrals for school rule violation cases and one program (Center for Restorative Programs, 12th Judicial District) that had a school-based restorative justice component that is not being

¹⁵ Also referred to as a 'person charge'

¹⁶ This number may be greater than the number of matched pre- and post-surveys because all post-surveys completed were included in the satisfaction results, even if a corresponding pre-survey was not obtained.

¹⁷ Nearly all of the victims that provided survey data are direct victims rather than surrogate victims.

funded by the Restorative Justice Council. The summary of these interviews was provided to SCAO and is available upon request.

Results

Diversion Youth

Across the seven programs serving restorative justice cases through the Restorative Justice Council funding from fall 2014, the vast majority of the youth were served by the three programs who had participated in the pilot¹⁸. The **19th Judicial District served 32%, the 20th Judicial District served 29% followed by the 12th Judicial District who served 28% of the youth**. The remaining four programs, La Plata Youth Services, Full Circle, Restorative Justice, and Youthzone, together served under 12% of the total youth served.¹⁹

Demographics of Offending Youth

Demographic data were gathered to understand the population being served by the restorative justice pilot programs. Due to a change in how ethnicity and race information was captured during Fiscal Year 2016-2017, missing data may appear higher than usual, particularly for the data collected during the pilot period.²⁰ For this reason, race and ethnicity data presented below include missing data to provide a more accurate picture of the information captured.

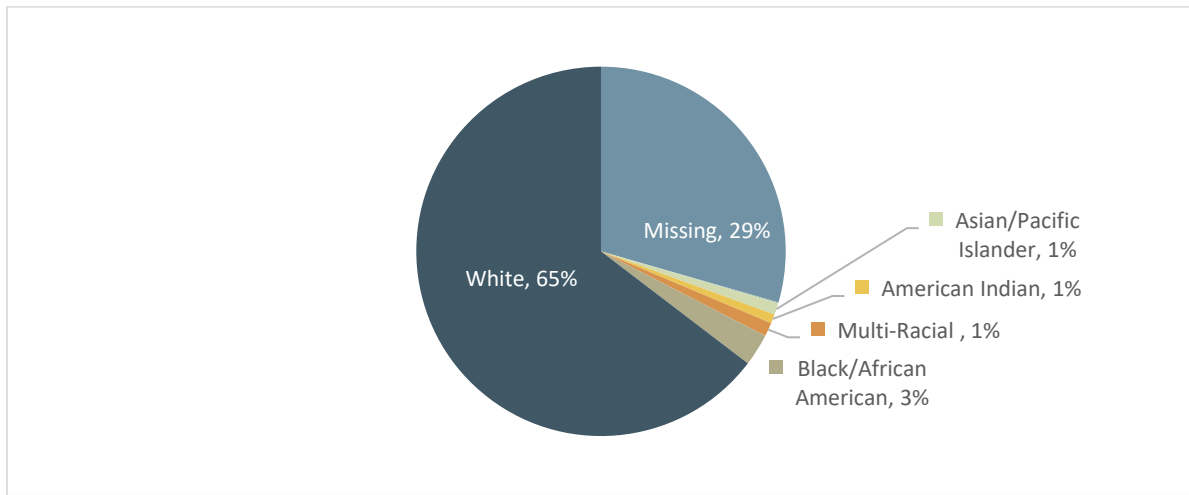
- Of those that reported gender, **55% of youth served were male** and 44% were female. No youth identified as transgender, gender neutral, or gender queer although slightly less than 2% of the total sample were missing a gender designation. Notably, in the most recent fiscal year (2017-2018), males made up 63% of the youths served.
- **Just under half of participants were identified as Hispanic/Latino (48%)**. 5% of data were missing.
- **Over half of participants were identified as White (65%)**. Of the youths who had both race and ethnicity data (n=593), 33% of those youth who were identified as White also were identified as Hispanic/Latino. 30% of race and ethnicity data were missing.²¹

¹⁸ 12th Judicial District, 19th Judicial District, 20th Judicial District

¹⁹ One of the pilots, the 10th Judicial District, served only 1 youth that met the criteria to be included in this evaluation.

²⁰The evaluation previously captured ethnicity and race data together. In fall of 2016, these variables were separated in order to get a more accurate understanding of the demographics of youths in restorative justice. For some youths who had been identified as Hispanic/Latino in the old race category, they are now reflected in the Hispanic/Latino Ethnicity category and are missing data for race.

Figure 3: Race of Offending Youth



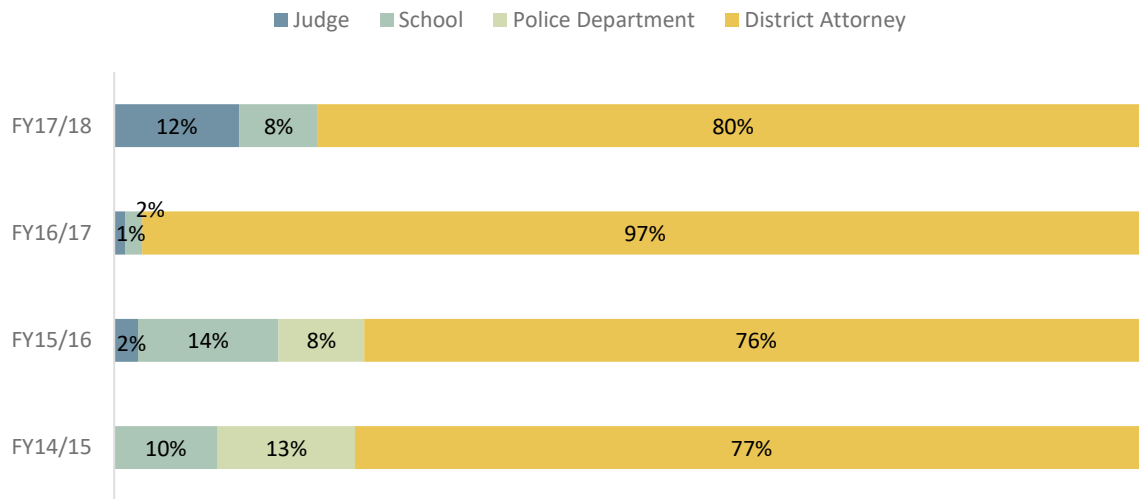
- The age of the youth who participated in restorative justice ranged between 8 and 18²², and the **average age of offending youth was 14.6 years.**

Program Data

Youth referred to the restorative justice programs came from a variety of referral sources, but the majority were referred from the DA's Office (76%). This reflects in large part the original legislative focus of the pilot programs, which was DA-based referrals. Figure 4, below, displays the referral sources since the start of the pilot, broken out by fiscal year. Law enforcement referrals decreased over time with no referrals from police departments or sheriff's offices during Fiscal Years 2016-2017 and 2017-2018. Referrals by a judge increased in Fiscal Year 2017-2018.

²² All youth were under 18 at the time of offense.

Figure 4: Referral Source for Diversion RJ participants



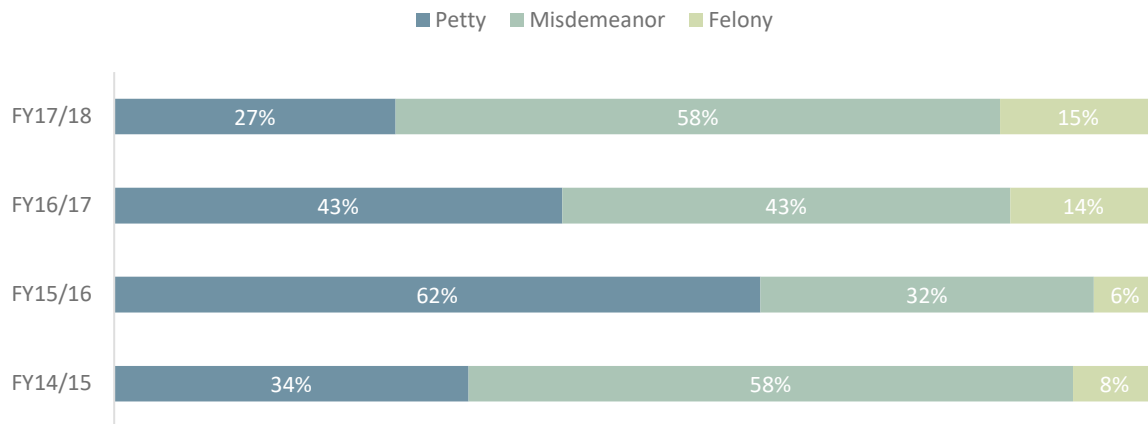
The majority of all diversion youth were referred to restorative justice pre-file: alternative to filing petition (80%). The remaining youth were primarily pre-file: alternative to summons/arrest (20%).²³

Of diversion level charges²⁴, petty offenses (44%) and misdemeanors (46%) made up the majority of the charges referred to restorative justice. The remaining diversion charges were felonies (10%), class three, four, five, or six. Figure 5 displays the levels of charges over the four fiscal years reflected in this report. Notably, petty offense referrals have decreased in the previous two fiscal years and felony offenses have increased.

²³ 0.6% of youth were 'upon further review, dismissed without prejudice'.

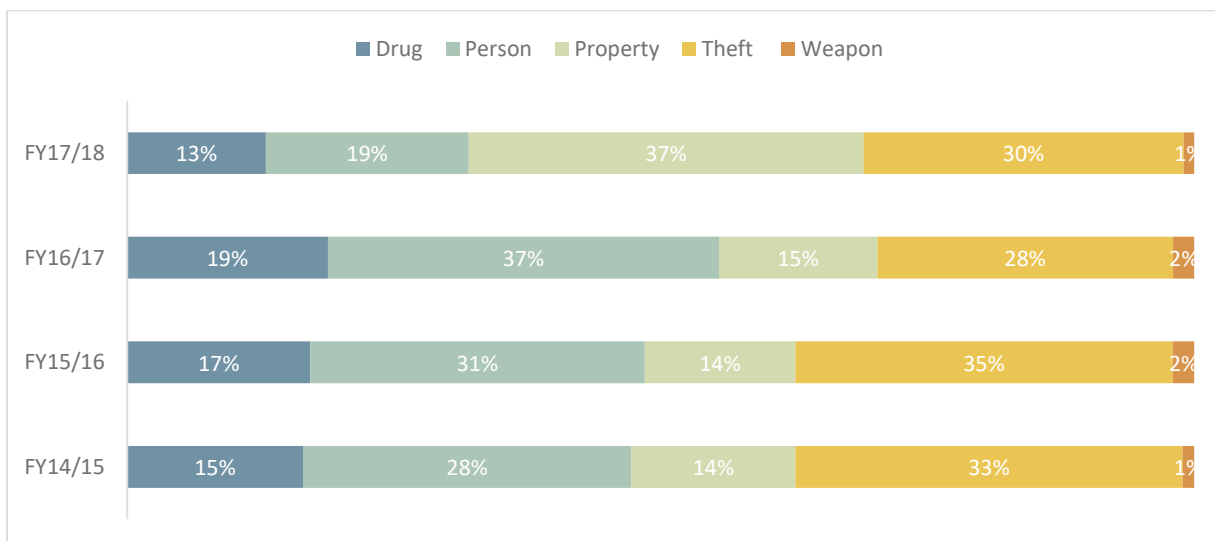
²⁴ Diversion referrals included 1,061 youth, 93% of all youth in the restorative justice grant program.

Figure 5. Level of Charge Over Time



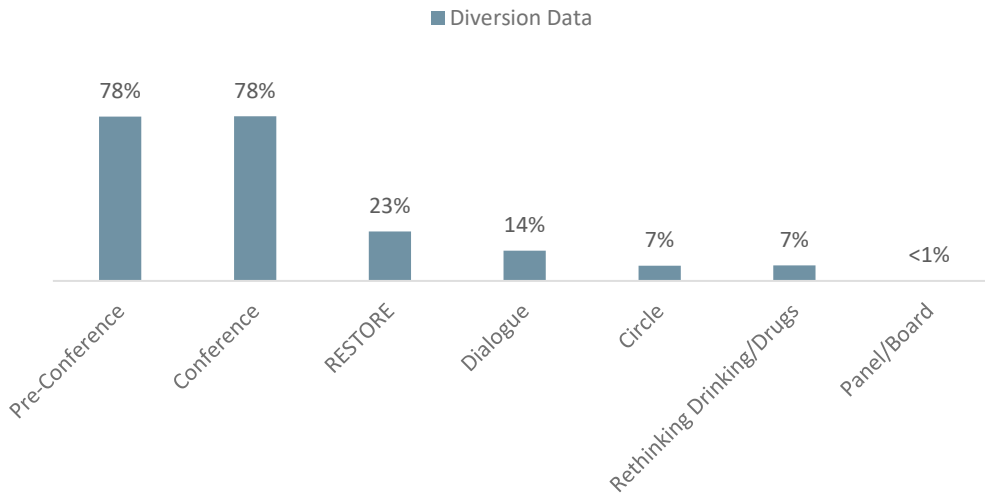
The most serious type of charge at arrest was also reported for each youth. **Offenses against a person (32%) and theft charges (31%) were the most frequent types of charges referred.** Figure 6, below, displays the proportion of each type of charge across fiscal years. Property charge referrals more than doubled in Fiscal Year 2017-2018 and person charges decreased while theft, weapon and drug charges have all stayed relatively consistent. More detailed descriptions of the charges, as provided by program staff, are included in Appendix C.

Figure 6: Most Serious Type of Charge at Arrest Over Time



Youth participated in a number of restorative justice processes, as displayed in Figure 7. The most frequently used process was a restorative justice conference.

Figure 7: Type of RJ Process



In nearly all cases that were included in this set of analyses, a contract to address harm was reached during the restorative justice process. The majority of youth who participated in restorative justice diversion were considered to have successfully repaired harm by completing their contract (96%). The median amount of time spent in restorative justice (from referral to contract completion) was just over three months (94 days). The median amount of time between the case referral and restorative justice process occurring was just less than two months (50 days). Additionally, youth, on average, took just under two months (47 days) to complete their restorative justice contract after participating in the restorative justice process.

Short-Term Outcomes for Offending Youth

Youth were asked to complete a pre-survey prior to their involvement in the restorative justice program and a post-survey following their participation in the restorative justice process. Sense of accountability data were captured during the pilot evaluation, thus the sample size for this outcome is much larger than others. The other additional short-term outcomes were later added to the pre- and post-surveys for offending youth. For four of the outcomes, response options ranged from 1 to 4, and one (empathy) ranged from 1 to 5 with 1 indicating ‘strongly disagree’ and 4 or 5 indicating ‘strongly agree.’

Figure 5, below, displays both the pre- and post-survey mean scores. Changes in pre- to post-survey mean scores were tested for statistical significance and significant findings are noted with asterisks. Effect sizes, information regarding the magnitude of the mean difference between pre- and post-survey are also provided for statistically significant findings. An effect size of 0.2 or less is considered small, 0.5 is moderate, and 0.8 or greater is considered a large effect.

Statistically significant change from pre-survey to post-survey was observed on five of the six short-term outcome measures: connection to adults (familial and non-familial), empathy, remorse and

accountability. The increase in youth’s sense of accountability is particularly notable with a moderate effect size. The increase in the sense of accountability at post-survey is significant even though youth tended to report high accountability at pre-survey. This may be a result of the requirement for participants to accept responsibility in order to be found suitable to participate in diversion. Youth did not report statistically significant change in their sense of locus of control from pre- to post-survey.

Figure 8: Short-Term Outcome Results

Diversion Referrals Mean Scores at Pre-Test and Post-Test		Significance	Effect Size
Connection to Adult (non-familial) (n = 280)	3.20	**	0.30 (Small)
	3.43		
Connection to Adult (familial) (n = 282)	3.47	**	0.21 (Small)
	3.61		
Empathy (n = 282)	3.96	**	0.13 (Small)
	4.07		
Locus of Control (n = 280)	3.09	n.s.	
	3.14		
Remorse (n = 276)	3.43	**	0.32 (Small)
	3.62		
Sense of Accountability (n=735)	3.07	**	0.43 (Moderate)
	3.35		

** p-value < 0.01; n.s.= not significant

Analyses further examined the above short-term outcomes to understand any differences in outcomes based on youths’ total time in the program or time between the restorative justice process and completion/termination from diversion. No meaningful relationships were found.

Short-term outcomes following participation in the restorative justice process were found to vary based on level of offense. Figure 9 displays the short-term outcomes with a statistically significant change from pre- to post-survey, and effect sizes for the different levels of offense.

- Restorative justice had a moderate effect on youth’s sense of accountability regardless of the level of offense.
- For youth referred to restorative justice for a petty offense or misdemeanor, statistically significant change was observed for all short-term outcomes except locus of control.
- Changes in short-term outcomes for youth referred for a felony offense were only observed for remorse and sense of accountability, both demonstrating a moderate effect.

FIGURE 9. SHORT-TERM OUTCOME RESULTS BY LEVEL OF OFFENSE

Diversion Referrals			Significance	Effect Size
Petty	Connection to Adult (non-familial) (n = 98)	3.10	**	0.27 (Small)
		3.32		
	Connection to Adult (familial) (n = 98)	3.39	*	0.19 (Small)
		3.51		
	Empathy (99)	3.79	*	0.17 (Small)
		3.94		
Remorse (n = 93)	3.36	**	0.32 (Small)	
	3.55			
Sense of Accountability (n=297)	2.93	**	0.43 (Moderate)	
	3.23			
Misdemeanor	Connection to Adult (non-familial) (n =143)	3.23	**	0.33 (Small)
		3.49		
	Connection to Adult (familial) (n = 144)	3.50	**	0.20 (Small)
		3.63		
	Empathy (n = 143)	4.04	*	0.16 (Small)
		4.17		
Remorse (n = 144)	3.43	**	0.24 (Small)	
	3.61			
Sense of Accountability (n=323)	3.13	**	0.45 (Moderate)	
	3.39			
Felony	Remorse (n = 39)	3.59	**	0.47 (Moderate)
		3.80		
	Sense of Accountability (n=74)	3.41	**	0.51 (Moderate)
		3.65		

*p value <= 0.05 ** p-value < 0.01

In addition to level of charge, short-term outcomes were also examined by the type of charge. Only four youth referred for a weapons charge completed a pre- and post-survey; thus, weapons charges were not included in these follow up analyses or the table below. For each type of charge, the short-term outcomes with statistically significant changes from pre-survey to post-survey are presented, along with the mean pre- and post-scores, and effect size.

- For property and theft charges, effect sizes showed that restorative justice had a moderate impact on sense of accountability.
- For youth referred for a drug charge, a moderate effect is seen on connection to non-family adults, with small, nearing moderate effects on all other statistically significant outcomes.
- For youth referred for offense against a person charges, effect sizes were small for all short-term outcomes with statistically significant change from pre- to post-survey.
- For youth referred for property charges, effect sizes were moderate on the measures of sense of accountability and remorse. Statistically significant change was observed on the measures of connection to familial and non-familial adults also, although the effects were small.

Figure 10. Short-Term Outcomes by Type of Charge

Diversion Referrals			Significance	Effect Size
Drug	Connection to Adult (non-familial) (n = 51)	3.08	**	0.49 (Moderate)
		3.44		
	Connection to Adult (familial) (n = 51)	3.34	**	0.33 (Small)
		3.57		
	Remorse (n = 48)	3.33	*	0.32 (Small)
		3.56		
	Sense of Accountability (n=115)	3.13	**	0.39 (Small)
		3.36		
Person	Connection to Adult (non-familial) (n =85)	3.23	**	0.30 (Small)
		3.46		
	Remorse (n = 86)	3.30	*	0.24 (Small)
		3.48		
	Sense of Accountability (n=222)	2.95	**	0.38 (Small)
		3.19		
Property	Connection to Adult (non-familial) (n = 64)	3.23	*	0.29 (Small)
		3.43		
	Remorse (n = 65)	3.51	**	0.48 (Moderate)
		3.73		
	Sense of Accountability (n=123)	3.22	**	0.46 (Moderate)
		3.48		
Theft	Connection to Adult (non-familial) (n = 76)	3.23	*	0.21 (Small)
		3.39		
	Connection to Adult (familial) (n = 76)	3.40	**	0.22 (Small)
		3.56		
	Remorse (n = 73)	3.58	*	0.29 (Small)
		3.72		
	Sense of Accountability (n=222)	3.08	**	0.49 (Moderate)
		3.42		

*p value <= 0.05, ** p value < 0.01

Despite expectations that statistically significant change would be observed across the sample on measures of locus of control and empathy, only empathy showed statistically significant change from pre- to post-survey.

Nearly all drug, offenses against a person, and property cases resulted in a restorative justice conference (94%, 96%, and 99%, respectively). Programs typically receive referrals for youth involved in different types of charges; however, a large proportion of theft cases referred to restorative justice (nearly 77%) are served by the RESTORE program.

The point at which youth complete the pre- and the post-surveys may impact the ability to see change or effect on the outcomes described above. For instance, following the restorative justice process, youth are tasked with completing their restorative justice contract which, on average, takes just over a month.

After completion of the terms of the contract, youth may experience an increased sense of locus of control or empathy because they have had more time to process the restorative justice experience and complete additional requirements to repair harm. Future data collection efforts will include a survey after the completion of the contract to more fully understand the impact of restorative justice programming on youth.

Recidivism

Recidivism data were available for all youth who had been referred for an offense²⁵ and had exited from a restorative justice diversion program for a full year or more, a total of 680 youth. Recidivism was considered any offense and filing for a criminal, misdemeanor or juvenile delinquency offense that occurred during a youth’s time in restorative justice and up to one year after exiting a restorative justice program.

Since the inception of the restorative justice pilot, **8.2% of youths who successfully completed restorative justice recidivated during or in the one year after programming.**²⁶

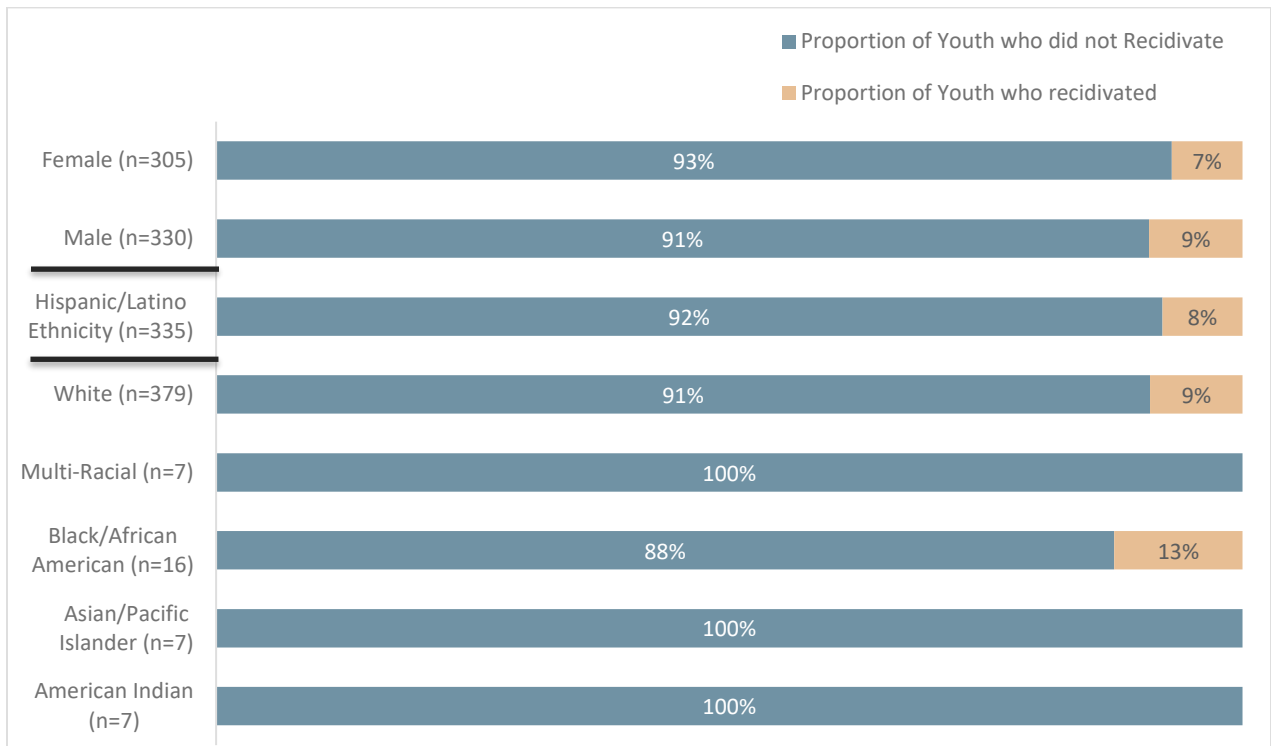
Official Recidivism Rate	
Successful RJ Completions (n=650)	8.2%
Unsuccessful RJ Completions (n=30)	20.0%
Overall Recidivism Rate (n=680)	8.7%

In Figure 11 recidivism rates for successful youth are displayed by youths’ demographics. Please note that the sample size for each group varies.

²⁵ Since school rule violation referrals do not result in a charge, recidivism rates are not calculated since there was no initial offense.

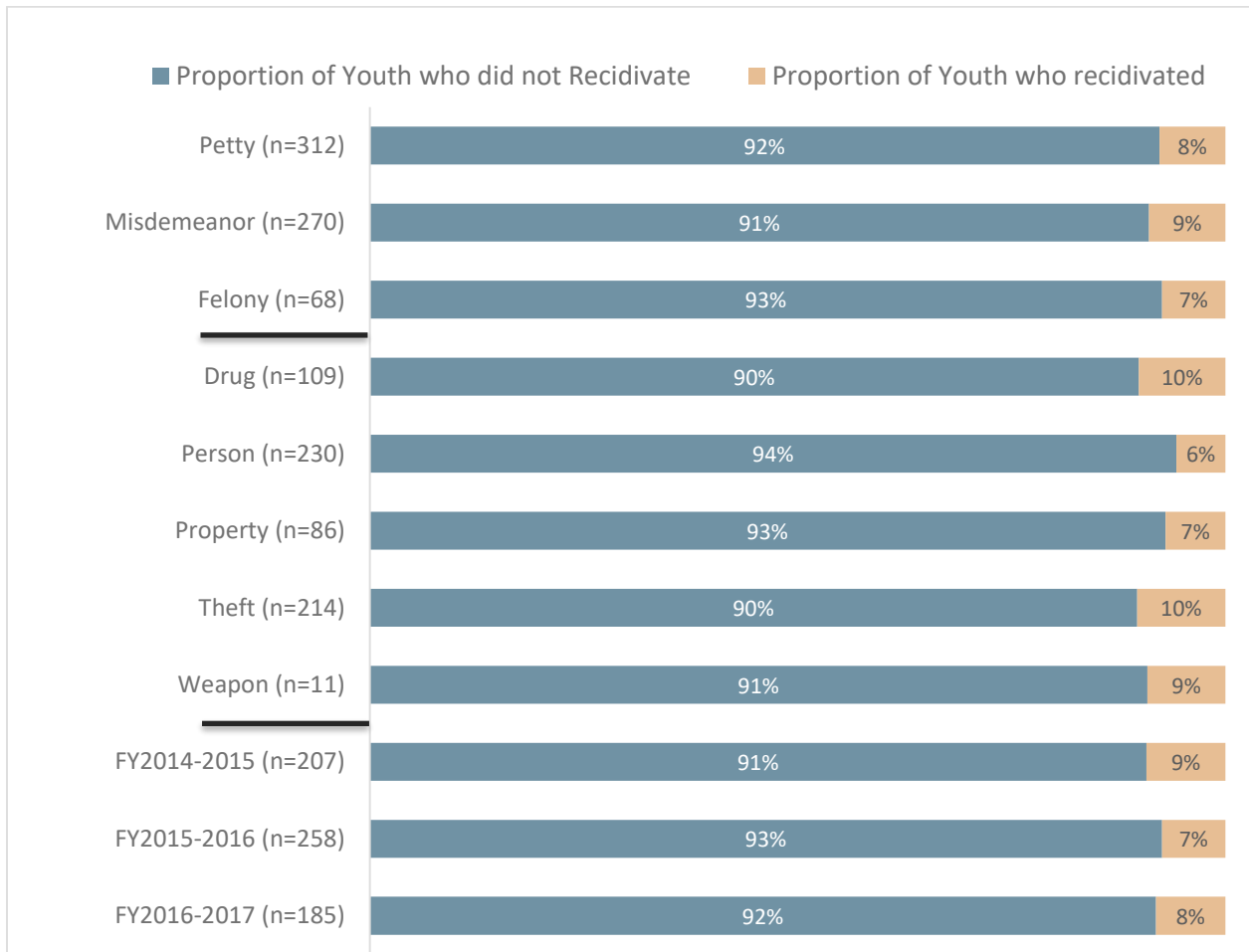
²⁶ Recidivism data presented in the body of the report include offenses that may have occurred while youth were in restorative justice and after completion of the contract. However, it can also be helpful to understand the rate of offense for youth with just *post*-contract recidivism. Of youths who successfully exited restorative justice, 7.4% recidivated *after* completion of the restorative justice contract. Of youths who were unsuccessful in completing their diversion contract, 10.2% recidivated *after* exiting the restorative justice program. Of all youths, 7.8% recidivated after exit.

Figure 11. Recidivism Rates by Demographics



Further examination of the recidivism data looked at recidivism rates by type and level of charge as well as fiscal year. Figure 12 displays this information.

Figure 12. Recidivism Rates by Charges and Fiscal Year Served



Data were examined to understand whether recidivism differed for youth based on victim participation.

Of youth who participated in a process with a primary victim, 7.2% of youth recidivated (92.8% did not recidivate). Of youth who participated in a process with a surrogate victim, 10.0% of youth recidivated (90.0% did not recidivate).

Recidivism Rate	
Primary Victim Participated (n=251)	7.2%
Surrogate Victim Participated (n=201)	10.0%

The RJ Council also obtained permission to examine recidivism data from the DCJ funded juvenile diversion program which funds 18 different programs across the state. Specifically, recidivism rates for youth who did not receive restorative justice services as a part of their diversion programming were calculated in order to compare recidivism rates for youth who receive restorative justice diversion through the RJ Council's grant program and those

who receive other types of diversion programming through the DCJ funded program. Of youth who successfully completed diversion (not Restorative Justice), 12.6% recidivated during or in the one year

after programming. Males in diversion had a higher rate of recidivism than males participating in restorative justice, 14.6% and 9.1% respectively. Females in diversion had a slightly higher rate of recidivism than those females participating in restorative justice, 8.4% and 6.9%, respectively.

	Recidivism Rate
Youth <i>not</i> receiving RJ who successfully completed diversion (n=1560)	12.6%
Males in Diversion	14.6%
Females in Diversion	8.4%

While these initial calculations and comparisons between youth participating in restorative justice and other types of diversion programs indicate positive results for restorative justice, these findings should be interpreted with caution. Based on differences in data collection between the two groups, a true comparative sample with matching demographics, referral information, and services received was unable to be created. However, even with this limitation, these preliminary results strongly suggest restorative justice is having a positive effect on youths’ likelihood to re-offend in the year after participating in restorative justice.

Victim Participation Data

As noted in the Sample section, 71% of victims were contacted and 51% of victims participated.

In cases where a victim was contacted and chose not to participate (n=337), reasons why a victim did not participate included being unavailable (13%), not interested (16%), and ‘other’ (70%). Those that had entries under ‘other’ were often cases involved in RESTORE where a retailer representative is used as a surrogate shop-lifting victim. However, other reasons included court orders prohibiting the victim and offender to have contact, and the victim or offender choosing not to meet. A surrogate victim was noted as having participated in 35% of the cases.

Few victims submitted an impact statement²⁷ with just under six percent of victims having been recorded as having done so. Just under seven percent of victims fell under the Colorado Victim Rights Act²⁸, which addresses more severe types of crime.

²⁷ These are DA-solicited statements less common to cases diverted prior to court charges.

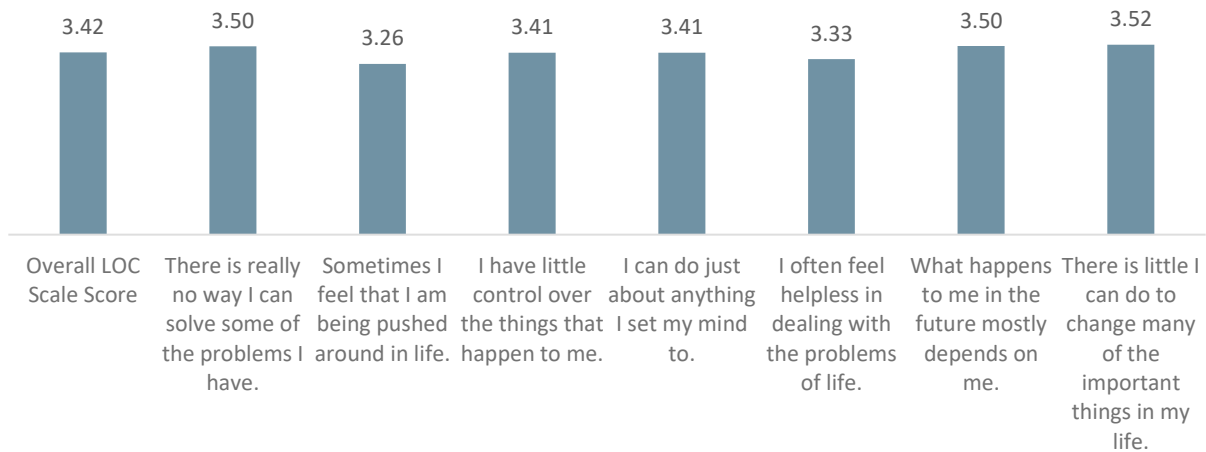
²⁸The Victim Rights Amendment of 1992 in Colorado states:

Any person who is a victim of a criminal act or such person’s designee, legal guardian, or surviving immediate family members if such person is deceased, shall have the right to be heard when relevant, informed and present at all critical stages of the criminal justice process. All terminology, including the term “critical stages” shall be defined by the general assembly (Article II, Section 16A Colorado State Constitution).

Victim Locus of Control

Victim post-surveys included questions intended to gain understanding of victims’ level of locus of control, or control over one’s own life following participation in the restorative justice process. Although pre-surveys were not captured from victims, these data still provide an important perspective about how victims are feeling after the process. Responses were indicated on a four-point scale assessing agreement with each statement. Statements with negative wording (i.e. one would want to see more disagreement to the statement ‘I have little control over the things that happen to me’) were recoded for analyses so that higher scores are the more desirable responses, even in cases where the wording is negative. Individual responses are combined to create an overall ‘scale score’ which is the first column in the figure below. Overall, victims are reporting a very high sense of locus of control, with the overall scale score and individual question responses being between the two most desirable response options.

Figure 11: Victim Locus of Control Post RJ Process



Satisfaction Data

All participants in the restorative justice process (offending youth, victims, and other participating community members) were asked to complete a satisfaction survey in order to understand their experience and to assess whether their goals for the process were met. Responses displayed here include only diversion level charges.²⁹ Responses to the satisfaction questions were

Regardless of the referral source, the level of charge, type of charge or restorative justice process, participants are reporting a high level of satisfaction.

²⁹ There were insufficient numbers of victim surveys from school rule violations to analyze. No community member surveys were completed for school rule violations.

measured on a four-point scale, with 1 indicating ‘Strongly disagree’ and 4 indicating ‘Strongly agree.’ Questions asked of all participants are displayed in Figure 11.

Mean scores indicate a high level of satisfaction across the common satisfaction questions with all responses falling between a 3 (Agree with the statement) and 4 (Strongly Agree with the statement).

Figure 12: Satisfaction Questions Asked of All Participants



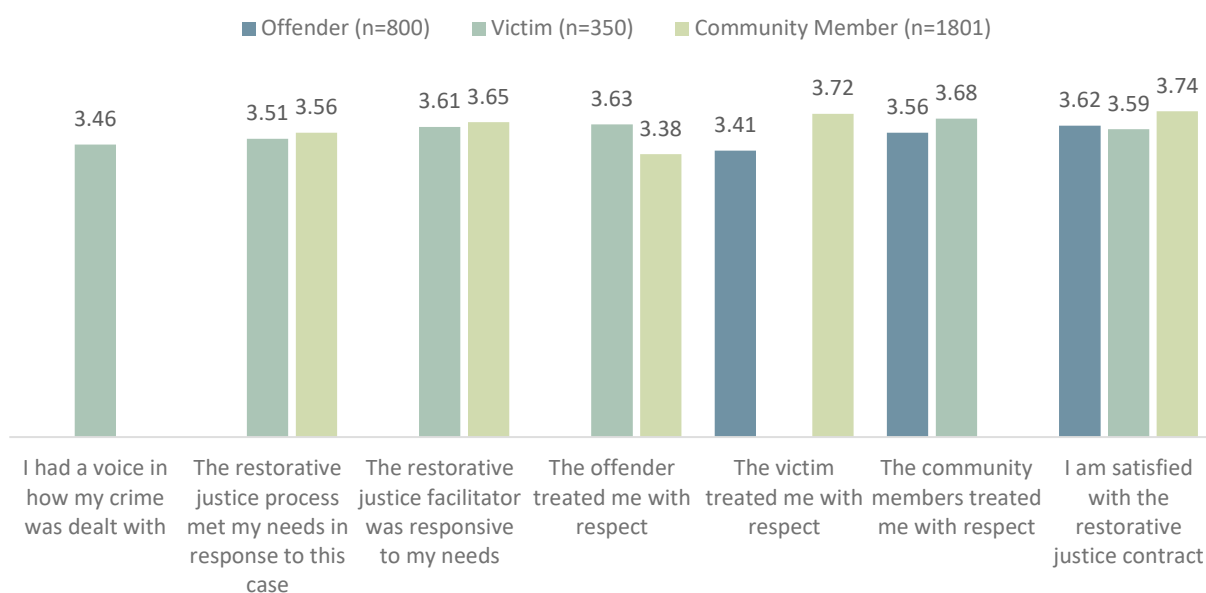
Participants overwhelmingly indicated their satisfaction with their restorative justice experience. Specifically, the following reflects the participants’ agreement with the statement, ‘I am satisfied with my restorative justice experience’:

- 98% of offenders reported that they agreed (29%) or strongly agreed (68%) with this statement.
- 97% of victims reported that they agreed (28%) or strongly agreed (70%) with this statement.
- 98% of community members reported that they agreed (22%) or strongly agreed (76%) with this statement.

In order to further understand the overall satisfaction of participants in restorative justice, additional analyses were conducted on the overall satisfaction question (“I am satisfied with my restorative justice experience”) related to several other variables. These additional comparative analyses provide additional information about whether satisfaction differs when other information about the case is taken into account. Satisfaction was examined in relation to the referring agency, the level of charge, the type of charge, and type of restorative justice process. Since the majority of participants were part of a restorative justice conference or RESTORE, for those youth who only participated in a single type of process, satisfaction was examined to understand whether participants were more or less likely to be satisfied when participating in a conference or RESTORE. No meaningful differences were noted when looking across these categories indicating that regardless of the referral source, the level of charge, type of charge, or restorative justice process, participants are reporting a high level of satisfaction.

Participants also responded to a few questions that were unique to the specific role³⁰ of participants. These questions are displayed in the figure below, broken out by individual completing the survey. Parents of offenders are most frequently included in the community member group although at times they may complete a victim survey, depending on the type of offense and resulting process.

Figure 13. Questions Unique to Participants



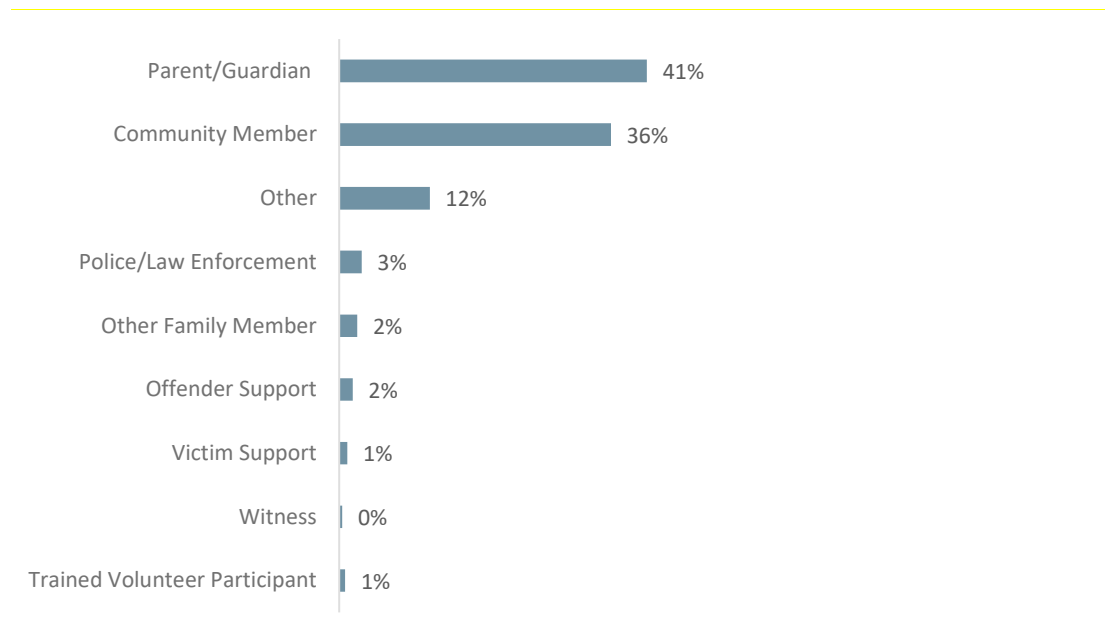
Finally, offending youth also reflected on whether they felt they had repaired harm done to the victim and to the community. Nearly all felt that they repaired harm they caused to the victim (92%), and that they caused to the community (93%).

The Community Member survey included additional information about their specific role in the restorative justice process. As seen in the data displayed in Figure 14, the largest proportion of respondents identified themselves as parents (41%)³¹ and community members (36%). Further, community members who noted they were ‘other’ also described their role. Many of those respondents were representatives from school, peer representatives, or business/merchant representatives, and sometimes diversion coordinators.

³⁰ For example, an offender responded to questions about the victim and community members treating him/her with respect, whereas a victim responded to questions about the *offender* and community members treating him/her with respect.

³¹ More recent surveys identify whether parents are parents of the victim or of the offender. Of the 41%, 12% of the ‘parent’ surveys were noted as parents of the offender and 1% parents of the victim.

Figure 14: Community Member Roles



In addition to the questions displayed in this section, above, all participants were provided the opportunity to respond to open-ended questions about their goals for restorative justice and whether those were met. Select quotes from all participants can be found in Appendix D.

School Rule Violation Data

School-based referrals to the juvenile court system represent an important entry point into the prison system. School system restorative justice processes started in the 1990s in Australia³², with the United States following suit in that same decade, mainly in response to zero-tolerance initiatives that began to feed the so-called school to prison pipeline.³³ These zero-tolerance policies resulted in greater numbers of suspensions and expulsions which in turn increased students' sense of separation and isolation, and increased the odds of re-offending. School systems (most frequently secondary and collegiate) have implemented restorative justice practices as a way to begin reversing the effects of zero-tolerance

³² Cameron, L., Thorsborne, M. (1999). Restorative justice and school discipline: Mutually exclusive? A practitioner's view of the impact of Community Conferencing in Queensland schools. Presented to the Reshaping Australian Institutions Conference "Restorative Justice and Civil Society", Australian National University, Canberra, February, 1999.

³³ Calhoun, A., Daniels, G. (2008) Accountability in school responses to harmful incidents. *Journal of School Violence*. 7(4): 21-47.

discipline policies. Schools use a variety of models (circles, conferencing, victim-offender mediation), to address a range of issues including disciplinary outcomes, school safety, and academic performance.³⁴

Demographics

Youth referred to restorative justice for a school rule violation reflect slightly different demographics than their diversion counterparts. This may, in part, be a result of schools tracking information differently than the justice system resulting in a larger proportion of missing data across gender, ethnicity, and race.

- Youth referred to restorative justice for a school rule violation were most frequently female (53%), followed by males (38%) with missing data for 9% of participants.
- Twenty-six percent of participants identified as Hispanic/Latino. 39% of youth were missing data.
- Only 55% of youth had information entered pertaining to their race with 47% of youth identified as White.
- Youth referred for school rule violations were between the ages of 11 and 17, with the mean age 12.9 years old.

Youth referred for a school rule violation were most frequently referred for a person charge (80%) and a drug charge (17%) and nearly all youth (97%) participated in either a Restorative Justice Conference or Circle. Ninety-five percent of those youth that participated in a process (n=76) completed their agreement successfully.

³⁴ González, T. (2012). Keeping Kids in Schools: Restorative Justice, Punitive Discipline, and the School to Prison Pipeline. *Journal of Law & Education*, 41(2), 281-335.

Figure 15. Short-Term Outcomes for School Charges

School Rule Violations Mean Scores at Pre-Test and Post-Test		Significance	Effect Size
Connection to Adult (non-familial) (n = 28)	3.32		0.26 (Small)
	3.39		
Connection to Adult (familial) (n = 29)	3.57		0.19 (Small)
	3.62		
Empathy (n = 29)	3.88		0.17 (Small)
	3.93		
Locus of Control (n = 29)	2.92		0.27 (Small)
	3.04		
Remorse (n = 26)	3.13		-0.12 (Small)
	3.29		
Sense of Accountability (n=28)	2.59	**	0.48 (Moderate)
	3.07		

**p value<0.01

Numbers were too small to further examine short-term outcomes by level or type of charge.

SATISFACTION WITH SCHOOL RESTORATIVE JUSTICE

Youth referred to diversion for a school rule violation also responded to satisfaction questions immediately following their participation in a restorative justice process.



Discussion

Across the diversion cases, findings indicate a high level of satisfaction, and importantly, statistically significant change from pre- to post-survey on important psychosocial outcomes. The seven programs providing diversion services have served and supported offending youth in addressing the harm of their offenses to both the victims and community. Additionally, an overall low recidivism rate indicates that restorative justice is having a positive impact on the youth and supporting them in staying out of the criminal justice system in the year after participation. Compared to youth participating in other types of services through diversion programming, restorative justice youth recidivate less frequently than other diversion youth.

Over time, referral sources have changed. During the past two fiscal years, no referrals were received directly from police/sheriff's offices and referrals from District Attorney's offices have increased. While the initial pilot phase primarily included referrals from District Attorney's Offices, there were actually more referrals from law enforcement agencies during that time than seen after the pilot phase ended. It is unclear what has prompted this change, whether shifts in local dynamics or receiving referrals from law enforcement through different funding streams. It may be beneficial for the restorative justice programs to reconnect with law enforcement to determine what criteria are being used for referring youth directly to restorative justice and whether this has changed for them over time. This would enable programs to also share findings from the evaluation with law enforcement to demonstrate the positive results being seen across restorative justice programs in Colorado.

In addition to changes in referral source, the most recent fiscal year saw a drop in female referrals to restorative justice with females making up only 37% of participants. Continued examination of demographics should take place to note any trends occurring as a result of change in referral criteria or other factors.

Following participation in a restorative justice process, offending youth indicated an overall increased sense of connection to adults (both familial and non-familial), feelings of empathy and remorse for the offense, and sense of accountability. These findings indicate that programs are improving youths' protective factors and increasing youths' understanding of the impact of their offense and sense of accountability. Reporting the magnitude of the effect of restorative justice on short-term outcomes has provided an additional perspective about the practical meaning of reported change from pre-programming to post-process. Restorative justice had moderate effects on the following:

- Youth's sense of accountability across all levels of charges and for property and theft offenses;
- Youth's connection to non-familial adults for those youth referred for a drug offense;
- remorse of youth referred for a felony or property charges in general.

These findings indicate that restorative justice is able to support youth's development on these short-term outcomes, with some youth, depending on level and type of charge, potentially receiving even greater benefit.

Drug offenses are a more unique type of case for restorative justice because a primary victim is not always easily identifiable. These preliminary findings specific to drug offenses provide initial evidence that restorative justice has been a useful tool for diversion programs to address harm caused by drug possession or use. Specifically, results are indicating that youth referred for a drug charge are demonstrating a positive impact on youth's risk and protective factors and feelings of remorse and accountability. However, these impacts are only likely to be sustained when other concerns, such as substance use/addiction or mental health needs, are also being met. It will be important to continue to examine data from these cases to see if these positive trends for drug charge referrals continue as the sample becomes larger. Additionally, recidivism rates for youths who were referred to restorative justice for drug offenses and theft offenses are slightly higher than other types of charges at 12% and 11%, respectively, although they still demonstrate a low rate of recidivism overall.

While the aforementioned findings are promising, upcoming evaluation changes in Fiscal Year 2018-2019 will provide even greater detailed results. Offender surveys will be collected at three time points; pre-program (short-term outcomes), post-process (satisfaction only), and post-contract (short-term outcomes). This change will provide information to better understand the impact of the full restorative justice program (pre-process planning, process and completion of the terms of the contract) on youth's short-term outcomes while still being able to capture satisfaction data immediately after process.

To date, survey data do not demonstrate statistically significant change on locus of control when post-surveys are collected post-process despite the restorative justice literature consistently demonstrating increases in internal locus of control for those that participate in restorative justice. The measure being used to capture this data is a valid and reliable scale and is used across similar types of diversion programming and age groups. Continued monitoring of locus of control in the new data collection processes will be important to understand if changes in locus of control may be seen when collected post-contract as compared to post-process.

Responses to the satisfaction survey indicate that nearly all participants who complete a survey are leaving the restorative justice process with a positive perspective of restorative justice and an improved perspective of the justice system in general.

The relatively small proportion of victims participating in the restorative justice evaluation limits the ability to generalize the satisfaction findings for all victims of the referred cases. In total, only 72% of all cases referred to restorative justice had either a primary or surrogate victim that participated in a restorative justice process. With 28% of cases not including a primary or surrogate victim, further inquiry is needed to understand how these restorative justice processes are incorporating fundamental restorative justice principles and guidelines in the absence of a victim. Further, only 36% of all cases referred to restorative justice included satisfaction data from victims highlighting that 64% of cases are not reflected in the victim satisfaction data.

There continues to be debate in Colorado, and across the United States, as to what constitutes restorative justice. The absence of a clear definition results in great variability among program models. Many restorative justice models align with at least a few of the established principles of restorative

justice, but given lack of clarity, practices and implementation may differ drastically even across the seven programs being funded by the RJ Council.

As the literature reflects, restorative justice tends to be very responsive to the cultural environment and is generally tailored to address specific community needs. Each type of restorative justice process is unique, and, by design, each individual process differs making it challenging to design and implement evaluations that are systematic and standardized. For instance, although the vast majority of cases served through this funding effort result in a restorative justice conference, the detailed nuances of how offenders and victims are prepared, who participates, and how the actual conference is conducted may vary. Contracts resulting from each process are also unique. Practitioners often speak to viewing restorative justice as a theory, rather than a single common model, which allows for variability in practice.³⁵ However, this flexibility in practice can lead to confusion regarding what is and what is not restorative justice. Efforts to define restorative justice processes and how programs' efforts fit into these definitions would begin the process of examining fidelity across restorative justice programs.

Limitations

As with all evaluations, the ability to address questions of interest relies on the completeness and quality of the data collected. The limited amount of data about and from victims impacts the ability to answer questions about the experience of the victims. Just over half of victims for whom any data are available participated in a process with even fewer providing satisfaction data following the process. Programs have reported reasons for victims not participating and in some cases not being contacted at all. The self-selection bias inherent in the victim data inhibits the evaluation's ability to gain a comprehensive perspective of the victims' satisfaction. Specifically, victims (primary or surrogate) may be more likely to express satisfaction simply because they have chosen to participate or are already engaged in restorative efforts and thus are more likely to provide positive feedback. Additionally, age of the victim is not captured which is an important component to understand how victims are responding. For example, a restorative justice process amongst peers (youth), may look and feel different than a restorative justice process among youth and adults.

Demographic and background data are entered by program staff into the ETO database (rather than provided directly by youth via a survey). While many program staff may determine this information based on youth's self-identification, the inability to monitor internal data collection and coding practices results in the possibility of misrepresentation of youth's demographic information.

Preliminary comparisons of recidivism rates between restorative justice programming and other diversion programs show positive results for restorative justice. However, it is important to be cautious in interpreting these results as a true comparative sample with matching demographics and referral information was not possible given the available data.

³⁵ Wood, W. R., & Suzuki, M. (2016). Four challenges in the future of restorative justice. *Victims & Offenders*, 1-24.

Finally, with the numbers of youth served varying greatly across programs, it is important to note that programs were not represented equally in these data sets; thus, individual program results may differ.

Recommendations

Data from the evaluation have highlighted a number of important positive findings. Several recommendations have been identified to provide further refinement to the programs and increase the ability to answer important questions in the field of restorative justice.

- **Additional efforts should be undertaken to train programs on victim engagement** to ensure programs feel empowered and equipped to engage victims in the restorative justice process and also to determine whether cases without victim involvement are appropriate for restorative justice. While those victims who have provided satisfaction data demonstrate high levels of satisfaction, they currently represent only a small portion of the cases referred to restorative justice.
- **Identify opportunities to define a common understanding of restorative justice programming and thus examine program fidelity.** The field of restorative justice continues to discuss, but does not agree upon a common definition of restorative justice. The result is a lack of clarity about how or whether programs are similar in their approaches to restorative justice. Efforts should be undertaken to examine core components of each program to identify opportunities for evaluating program fidelity.
- **Continue to engage with referral sources.** During the most recent two fiscal years, no referrals were received from police/sheriff's offices. While reasons for this are unclear, it remains important for restorative justice programs to continue to engage with all referral sources especially as the evaluation continues to produce consistent positive findings as they relate to offender satisfaction and improvement on important short-term psychosocial outcomes. Programs should identify opportunities to share the positive evaluation findings and strengthen relationships with referral sources.

Appendix A. Descriptions of Charges

Descriptions of the charges included the following:

- Assault
- Arson
- Burglary/Theft,
- Bullying
- Criminal mischief,
- Disorderly conduct (fight/weapon),
- Disturbing the peace,
- Obstruction/Resisting Arrest,
- Sexting,
- Trespassing,
- Underage possession of tobacco, alcohol, marijuana or marijuana paraphernalia, and
- Underage consumption of marijuana or alcohol

Appendix B: Satisfaction Responses

OFFENDER

Offenders' Goals:

I could tell other kids my story so they, and myself, know they are not alone in their situation, that we are all here to listen and help.

My goals were working out my problems (the offense) with the help of people who care about me. I wanted to deal with my behaviors in a more productive way than just being fined or getting something on my record.

My goals for the restorative justice process was to amend the wrong I did and move forward. I hoped to get a more broader perspective on what harm stealing actually does, & it did, I know now that it is not a victimless crime.

*My goals for the restorative justice process was to get the trust back with myself and everyone else around me. I hoped this was an achievement as a result and it was!
I hope I will make smarter choices and be able to tell my peers no or suggest something smarter for all of us to do when we are bored.*

My goals were to let [the victims] know how sorry I am and how much I have changed. I hoped that I would be able to apologize to [the victim] and have her read my actual words and know how I feel. My goals were to fix the damage I did, find new ways of coping, and to make this experience worth my while. I hoped that this would teach me my lesson and help myself grow and right my wrongs. I definitely achieved these goals.

My goals for the restorative justice process was to try and fix my mistake that occurred and learn my lesson. I hope that my results would be closer to my family and give back to those harmed. I believe that I have achieved those goals.

Additional Comments by the Offender:

All I have to say is this is a very instructive program, & it should keep going because it does impact kids perspective on stealing; and it helps them realize the wrong they really did. I think this case was handled very well, & I'm glad it turned out the way it did.

I just appreciate all the amazing people who I met with and how much respect they showed me and listened to me.

I'm glad this was the path chosen as it gave me a real chance to apologize for my mistake and offer to help those I hurt instead of just being punished.

Restorative Justice is CRUCIAL because it gives people like me a second chance. This is such an important program. Thank you so much for helping me.

I really enjoyed the fact that they didnt blame you for your mistake, they just want you to become a better person

I believe this was a great experience and could help both sides. And Im happy that we could come together as a whole to restore.

The RJ program was good because it gave me a second chance to do right and it also taught me a lot about marijuana and other drugs and how they can mess up your brain and how it's bad for you.

VICTIM

Victims' Goals:

My hope was that hearts and eyes would be open to what the "ripple effect" is, even from an incident like this. Who is affected, what the different costs are. The emotional impact in the neighborhood All achieved :) To put faces to names and see the humanity of the offenders and their families. For the offenders to see the impact of their actions not only on our daughter, but also our family. To understand, forgive, move on. To hear genuine remorse, understanding and get an apology. To no longer be angry or hold anyone in contempt.

My goal was to possibly positively change this young man's life rather than set him up for failure and see him continue a negative path in life.

I had hoped to listen, learn & understand why the accused boy took my son's phone. My hope was to gain perspective and empathy. I had also hoped the accused would be able to understand how his actions impacted my son & our family- frankly, his family as well.

Repair the harm that was done during the event & have open dialogue about the incident. Come to an agreement w/ [the offenders] about how to move forward in a productive, supportive & compassionate way

Additional Comments

The restorative justice process is an advancement in methods of justice. The case was handled extremely fairly and professionally.

I am so happy these girls + other kids have this amazing chance + opportunity to learn from their mistakes!

It was civil, I liked it and I felt comfortable expressing my feelings. [Offender NAME] and I felt better afterwards and I felt her and I came together as a whole/unit.

This process was a huge eye opener and learning experience. The case was handled very professionally by law enforcement and staff at CRP program. I felt very comfortable with the group of girls and parents who attended, trusting them confidently.

This process truly helps repair relationships and even creates positive relationships where none perhaps existed previously- Thank you

COMMUNITY MEMBER

My goals for the restorative justice process was to learn from my bad choices and talk to the people around me that have made the same choices and just talk about our feelings and help the new members that they're not the only ones. Help them learn from my story.

I think this was so good more me and my son. It opened his eyes to so many other things. I'm glad it happened now @ his age--so he knows better now. - The Leaders were caring and made everyone feel good. no one judged. Amazing program that is needed.

I highly recommend this program to others. The community was such a great experience. Please continue to fund this program, it is such a great opportunity for these young kids who need to learn from their mistakes and take accountability for them

We are very impressed. The wonderful people who work this program are amazing. Very informational and dedicated to this cause. We thank them for helping our child in a time of need. I hope this practice will be more widely used. It makes much more sense to put money towards helping offenders change for the better and help them truly understand how their actions affected others than to simply punish them.

I think both representatives were extremely professional, concerned and supportive of all parties involved. They showed empathy and respect to the victims and offenders. The process was difficult and through their guidance it was a productive meeting.

I'm glad I found this program because young people can sometimes find themselves involved in these types of incidents. [Through the RJ process] they can benefit from positive activities, learn more about the community, be more positive people and do more of the things they enjoy instead of wasting their time. Thanks a lot.

This was a very beneficial process, not only personally, but for the future. It didn't feel punitive and gives me hope that instead of feeling badly and losing confidence she will gain strength from this experience. Thank you!

I felt the "offender" felt safe enough to act from his heart & authentic experience. He was held safely & with respect with the circle. It felt like a very powerful outcome.

This made me realize that everything has their consequences. it really helps people and it gives people a second chance. I think it helps a lot and its really worth it coming here you just have to actually participate and be patient and I think its great how they let you know everyone deserves a second chance.
