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# The Utility of Restorative Justice in Urban Communities For Afro Americans Males 12-17

Johnny Brooks  
*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Johnny Brooks

has been found to be complete and satisfactory in all respects,  
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## Review Committee

Dr. Kristie Roberts, Committee Chairperson,  
Public Policy and Administration Faculty

Dr. Gregory Dixon, Committee Member,  
Public Policy and Administration Faculty

Dr. Tanya Settles, University Reviewer,  
Public Policy and Administration Faculty

Chief Academic Officer  
Eric Riedel, Ph.D.

Walden University  
2014

Abstract

The Utility of Restorative Justice in Urban Communities

For African Americans Males 12-17

by

Johnny Brooks

MPA, University of the District of Columbia, 2008

B.A., University of the District of the District of Columbia, 2006

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

Walden University

February 2014

## Abstract

Juvenile delinquency continues to be a major social problem in the United States. One of the more salient problems with the juvenile justice system in the United States is its staggering incarceration rate, which poses a significant problem for youth exposed to the juvenile justice system, and the community as a whole. The purpose of this qualitative case study was to understand the perspective of the program facilitators about the effectiveness of the restorative justice program in reducing recidivism for African American males aged 12 to 17 in Baltimore City's urban community. This study relied upon restorative justice theory as conceptualized by Braithwaite as the theoretical framework. Using intrinsic case study design, data were collected from 7 restorative justice facilitators, who participated in face-to-face interviews using semistructured, open-ended questions. Miles and Huberman's qualitative content analysis was used to analyze the data and to record emerging themes and patterns. The key finding of this study indicates that facilitators believe restorative justice results in a reduction of the recidivism rate specifically through the conferencing program when Braithwaite's reintegrative shaming is incorporated into the process. According to the program facilitators, the conferencing program is effective in reducing juvenile recidivism as it promotes transparency and openness to all stakeholders through being very clear and upfront on all levels with the juveniles, parents, and volunteers. As such, there are implications for positive social change by involving all the stakeholders—family, community, policy makers, and juvenile justice practitioners—that may result in reduced incidences of juvenile offending, thereby promoting safer communities.



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## Dedication

To my family, I am forever grateful for being patient with me in my phenomenal journey to earn my Ph.D. Special thanks to my wife, Cleader Maria Brooks, who provided enormous strength, courage, and unconditional love and support when I was literally a lost soul. To our sons, Christopher, Johnny, Ricky/Xian, Tramaine, and Maurice/Ebony for their unwavering support in understanding why I oftentimes had to lock myself in. Special thanks to my grandkids, Destiny, Stephanie and Thomas, for bringing cheerfulness to my life with their constant busyness, which oftentimes provided me with that needed break. To my son, Johnny, for his much-needed technical support from the onset of my academic journey, with “making the complex simple,” this was not a simple task. To my aunt, Cathy Young, who kept me connected with family, consoled, and supported my efforts on numerous occasions; thank you. Finally, to my mother, Annie Elizabeth: love you, wishing you were here. Your words many years ago still resonate with me today: “boy you need to go back to school.” I dedicate this dissertation and doctoral degree in your memory for your love, and tremendous sacrifices that made this possible.



## Acknowledgments

First in foremost, thank you my Heavenly Father for nourishing me with your love and support, without which I could not possibly be here today. I would also like to extend my heartfelt appreciation to the community of family and friends, colleagues, and scholars for their contribution in helping me complete this stage of my academic journey.

I am profoundly indebted to each member of my dissertation committee, who provided invaluable insights into how to enhance and articulate my dissertation. Specifically, I am profoundly appreciative to Dr. Kristie Roberts-Lewis for her motivation, mentoring, and exceptional leadership; without her support, I would not be writing this acknowledgement. I am also greatly indebted to Dr. Gregory Dixon for his substantial contribution in guiding me through the completion of this journey, and Dr. Frank Besag for his contribution in the onset of my journey. Moreover, I am thankful for Dr. Tanya Settles for her expertise in providing supportive feedback on ways to complete my dissertation.

I am also wholeheartedly indebted to the staff and participants at the Community Conferencing Center in Baltimore for allowing me to study the restorative justice process. The entire staff of the Community Conferencing Center deserves enormous thanks for their laborious efforts towards facilitating true restorative justice in their communities. Specifically, I would like to thank Nicole Glass-Brice, Deputy Director of the Community Conferencing Center, for her efforts in helping me facilitate this study.

Additionally, I am grateful to my University of the District of Columbia (UDC) family, who profoundly nourished my scholarly appetite in the onset of my academic journey. My heartfelt gratitude goes out to Dr. Silvia Hill, Dr. Angela Flowers, and Dr.

Margaret Moore in the Criminal Justice program for their purposeful support in my academic matriculation. Moreover, I extend my gratitude to Dr. Julius Anyu and Dr. Antonia Nowell in the UDC Master of Public Administration program, for facilitating a learning environment where knowledge was judiciously cultivated. Specifically, I am profoundly indebted to Dr. Julius Anyu, who took me under his wing as a mentor and friend by continuously advocating my pursuit to earn my Ph.D. Thank you for your timely discourse just before my defense, and your golden nuggets of wisdom which helped me navigate the course successfully.

In addition, I am deeply appreciative to Mr. Miran Thompson (a.k.a. "Mr. T.") for his magnanimous support from the onset of my academic journey, with schedules allowing me to matriculate both day and evening classes. Finally, I am also profoundly indebted to my Baltimore City Juvenile Justice Center (A Team Family) who unwaveringly encouraged me and supported me throughout my Ph.D. journey in various ways. More specifically, they oftentimes made my work environment less stressful while engaging me in fruitful conversation, emotional support, and a listening ear throughout my dissertation journey.

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## Chapter 1: Introduction to the Study

### **Introduction**

Restorative justice has emerged as a new paradigm of justice achieving considerable prominence in the international community as government leader's grapple over ways to effectively address the juvenile justice phenomenon (Lee, 2009; McGarrell & Hipple, 2007; Stahlkopf, 2009; Verrecchia & Hutzell, 2010). Generally, it is recognized that contemporary justice systems are in need of a major resurrection, and this is especially true for the juvenile justice system in the United States (Webb, 2009). Successful restorative justice programs have the potential to restore the positive balance within the community (Bergseth & Bouffard, 2007) and facilitate a bonding relationship among the victim, the offender, and the community (Prihan, 2009). Restorative justice programs are defined as the activities or programs which promote a consensus return to justice by the victim, offender, and the community reaffirming principles infringed upon by transgression committed on the community (Wenzel et al., 2008, p. 381).

The restorative justice program that this study will focus on is the Community Conferencing Center (CCC) in Baltimore. The CCC can be broadly defined by its capability to implement effective community conferencing programs in large urban communities that embrace the core principles of the restorative justice process. This is realized by CCC capability to provide training and services for jurisdictions both nationally and abroad that focus on conflict management strategies in multiple environments. In addition, CCC has worked in harmony over the past 10 years with Maryland Department of Juvenile Service, police, and courts. As a result, the collaborative partnership has facilitated over 7,000 young offenders, victims, and

community in successfully resolving conflicts within their respective communities with Community Conferencing. More importantly, the CCC work is recognized with 60% lower recidivism rates for young offenders versus youth processed through the traditional juvenile justice system (Community Conferencing Center, 2008).

Restorative justice programs may alleviate many of the ills associated with the juvenile justice system in the United States. The juvenile justice system in its current condition presents a quandary for youth as well as stakeholders in the community. According to Zehr (1990), restorative justice can be defined as a process of justice, which utilizes all stakeholders to address and right the wrongs committed by transgressions. Restorative justice at its core relies on a philosophical approach to justice deeply-rooted in humanistic principles (Braithwaite, 2006). Similarly, Umbreit and Armour (2011) emphasized that restorative justice programs illuminate human rights values, human dignity, relationships, community, freedom, which empowers the victim, offender, and the community. Evidence suggests problems with the juvenile justice system are particularly prominent for youth of color, especially African Americans who are at a disadvantage because of their over representation in the justice system (Chauhan, Reppucci, & Turkheimer, 2009; Kakade et al., 2012; McCarter, 2009; National Council on Crime and Delinquency, 2007; Nicholson-Crotty, Birchmier, & Valentine, 2009). Mendel (2011) identified that, “Among youth adjudicated delinquent in juvenile court, African American youth are more likely than White youth to be placed and, if placed, more likely to be sent to a state youth correctional facility, rather than a private group home or residential treatment center” (p. 23). Ultimately, the impact of these disparities potentially places African American youth, their families, and society at a disadvantage.

In the past juvenile justice practitioners and academics alike have wrestled and lamented over ways to decrease juvenile delinquency. Effective restorative justice programming provides alternative intervention, thus reducing youth involvement in the juvenile justice system. Wenzel, Okimoto, Feather, and Platow (2008) argued the restorative justice approach provides youthful offenders an opportunity to give back to both the victim and community. This benefit is in addition to evidence, which strongly suggests restorative justice, rather than punitive justice reduces recidivism in youth.

Priban (2009) proposed restorative justice programs encompass balancing the moral fabric of our society by engaging stakeholders in personal commitment, moral integrity/obligation that build trusting relationships for the common good. More importantly, however, he asserted the goal of restorative justice is to affect future behavior of youthful offenders (pp. 41-42). Gromet and Darley (2006) pointed out empirical research supports the notion that restorative justice reduces recidivism as well as increases victim satisfaction, contrary to traditional methods of justice. They noted restorative justice benefits both the victim and offender. Hill (2008) indicated restorative justice is flexible and embraces genuine alternatives for justice, versus the more rigid traditional practices.

Hutchinson (2006) identified restorative justice has gained increased popularity in recent decades as an alternative measure for juvenile justice practitioners seeking a tool to reduce recidivism rates among youth offenders. The theory of restorative justice has captivated the attention of academic scholars, researchers, policy makers, activist/advocates, and governments alike. Major tenets of restorative justice that make it

a compelling alternative for juvenile justice practitioners to reduce recidivism include the following:

1. Emphasis on the role of victims in the justice process.
2. The involvement of all the parties concerned with the criminal event (including the victim, the offender, supporters of each, and the wider community).
3. A central focus on ‘solving’ crime ‘problems’ by restoring balance among all affected parties, and successfully reintegrating victims and offenders back into their communities. (p. 450)

The concept of successful restorative justice programs that reduce the recidivism of youth is deeply rooted in its capacity to forge a common balance within the community. Maloney (2007) argued that community restorative justice programming should encompass proactive approaches that reduce youth involvement in the juvenile justice system. To be effective, restorative justice programs should be in balance with community safety, provide accountability for youthful offenders’ behavior, and enhance youth development and core competencies. Programming strategies that directly focus on long-range technical job skills for delinquent youth would ultimately afford youth an opportunity to become productive members of society (Maloney, 2007). The perception is that an effective restorative justice program enthusiastically embraces the entire community in the restorative process, creating a win-win situation for all stakeholders.

According to Priban (2009), research findings confirm the effectiveness of restorative justice: It reduces recidivism, is cost effective, and enhances the social/human capital of victim, offender, and the community (Priban, 2009). The myriad complexities

that directly contribute to youth involvement in the juvenile justice system necessitate the community of stakeholders engage in broad-based efforts to address these issues.

Effective restorative justice programming can potentially be essential for the success of juvenile justice systems because of the flexibility in letting the community participate in meting out *just desert* for youthful transgressions. Successful restorative justice practices increase core competencies of youthful offenders, potentially reducing their involvement, as well as continued recidivism in the justice system (Maloney, 2007; Verrecchia & Hutzell, 2010). On the surface, it appears that an extensive range of opportunities is needed to ensure the success of the juvenile justice system, including restorative, intervention, rehabilitative, and vocational programs.

### **Background**

Pribán (2009) argued the emergence of restorative justice is partially due to society's dissatisfaction with contemporary criminal justice practices. The goal of restorative justice is to influence future behavior toward offenders, and not to inflict punishment for their transgressions. Pribán also suggested restorative justice will emerge as a model that delivers economic utility and moral harmony for diverse stakeholders within their respective communities. Pribán illuminated the comprehensive effectiveness of restorative justice as an alternative for society in general. Restorative justice practices have the potential for providing the community with an enhanced opportunity for self-regulation and self-healing.

Wenzel, Okimoto, Feather, and Platow (2008) suggested that restorative justice is an emerging alternative strategy in the criminal justice system for reducing recidivism.

Wenzel et al. substantiated their argument with empirical data supporting the notion that

restorative justice practices provide youth opportunities to give back to the victim and community. They also identified several methods to facilitate this process, including, punishment, community service, monetary remuneration, and other consensual forms of restoration. Restorative justice is facilitated by shared values within the community whereby retributive justice is meted out for more serious transgressions. Restorative justice practices underpin the notion that several components of the restorative justice may be valuable in reducing recidivism for youth.

Equally important, at the core of restorative justice programming is the multifaceted approach that engages the community of stakeholders in a comprehensive effort to reduce youth involvement in the juvenile justice system. Doerr (2008) noted the developmental audit is a strategy deeply-rooted in the capacity to effectively engage the youth, the clinician, and parents in collaborative intervention strategies paramount in fitting needs of youth. Further, Doerr argued for youth engagement in restorative justice programming, which reduces their involvement in the juvenile justice system. Similarly, Hill (2009) suggested restorative justice is flexible and embraces genuine alternatives for justice versus the more rigid traditional practices. Hill also identified that restorative justice at its core parallels both utilitarianism and efficiency theory. Hill further proposed successful restorative justice practices place youth back into the community with a renewed sense of purpose, in addition to reducing recidivism rates.

Currently, the American juvenile justice system is failing at meeting needs of delinquent youth and stakeholders in the community (Maloney, 2007). In fact, implementing successful restorative justice community service programming for youth may be an essential component in reducing delinquency. Maloney (2007) argued for

community programming that encompasses adult supervision and victim restitution stipends that benefit victims of crime. Further programming strategies directly focusing on long-range job skills ultimately afford youth an opportunity to become productive members of the community. In general, the literature identified successful restorative justice programs are a practical method that minimizes youth involvement in the juvenile justice system. However, literature has yet to explore how restorative justice programs could reduce recidivism. Thus, this study seeks to assess the utility of restorative justice programs in reducing recidivism for African American males 12-17 in an urban community.

### **Problem Statement**

Juvenile delinquency continues to be a major social problem in the United States. The most recent crime statistics report juveniles are being arrested at alarmingly high rates, with 2.11 million being arrested in 2008 alone (Puzzanchera, 2009). The juvenile justice system in the United States in its current condition presents a quandary for juveniles, their families, and the community in general. One of the more salient problems with the juvenile justice system in the United States is its staggering incarceration rate, which poses a significant problem for youth exposed to the juvenile justice system, and the community as a whole. McMillan (2010) noted, "Although the United States accounts for only 5% of the world's total population, America prisons house 25% of the world's prison population" (p.10). Further shortcomings of the juvenile justice system still hinge on its propensity for disproportionate representation of youth of color (Kakade et al., 2012; McCarter, 2009; Vazsonyi & Chen, 2010). Equally important, juvenile justice practitioners and policy makers do not appear to know a fair and just reaction to youthful

transgression within their respective communities and how best to determine the fate of these wayward youths.

From an historical perspective, juvenile justice practitioners have been ambiguous in their approach to facilitate the needs of the youthful offender, particularly those of color. In this study, the focus is on the examination of the utility of restorative justice programs as an alternative measure for reducing the recidivism of African American male's age 12 to 17 in an urban community, specifically for Baltimore City. Although the existing literature on restorative justice systems does not provide any concrete solutions for effective restorative justice for these youth, it does serve as a link that suggests addressing the following concerns. Future research concerning restorative justice programs should focus on wide-ranging, evidence-based programs that reduce youth involvement within the juvenile justice system. Existing literature (Kakade et al., 2012; McCarter, 2009; Vazsonyi & Chen, 2010) suggests that recidivism should be viewed as it relates to a particular community with the intent to focus on positive outcomes for all stakeholders. Existing literature also supports the assertion that juvenile justice programs should program facilitators with continuous training in serving culturally and geographically diverse communities. For restorative programs to be successful, effective ways to connect the community of stakeholders in broad-range strategies is paramount, thus, reducing youth involvement in the system.

### **Purpose of the Study**

The purpose of this qualitative case study was to understand the utility of restorative justice programs in reducing recidivism for African American males ages 12 to 17 in Baltimore City's urban community. Baltimore City was chosen because of its



demographic location, which represents a large amount of African American males ages 12 to 17 in a sizable urban community. Equally important, evidence suggests that there are problems with the juvenile justice system, particularly for reducing recidivism for youth of color. The case study has significant potential for facilitating this process because it embraces the capacity to study the phenomenon associated with restorative justice. It underscored ways to identify and evaluate the usefulness of restorative juvenile justice's program strategies, particularly in urban environments for African American male youth. Further, it focused on identifying best practices associated with evidenced-based programs, which are proven effective in the Baltimore City region for youthful offenders. The development of these strategies can be facilitated by determining the overall effectiveness of restorative justice programs within their respective communities.

### **Research Questions**

The central research question that guided this study was: How do restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system? Subquestions included:

1. How do evidenced-based restorative justice programs for African American males 12 to 17 in an urban environment affect the involvement of youth in the juvenile justice system?
2. How do you describe an effective/successful restorative justice program?
3. What do you perceive as the challenges of restorative justice programs?

### **Theoretical Framework**

The theoretical framework that shaped this dissertation was the restorative justice theory. Braithwaite (2006) has advocated the notion that has become a theoretical central

theme for restorativists, which defines restorative justice as more than a theory it is a continuous process defined by its rituals of repentance that restore victims, offenders, and community through consensus restoration (pp. 397-401). This theory provided a lens for considering the utility of alternative sentencing for juvenile offenders, particularly those of color in urban environments. From a theoretical perspective, it is likely that the underpinnings of restorative justice programming will be accomplished through a theoretical lens that is used to examine well-documented and successful programming. The impetus behind this proposition is the concept that studying successful restorative justice programs increases juvenile justice practitioner's chances of reducing youth involvement in the justice system. The implementation of effective evidence-based restorative justice programs has the potential to reduce youth involvement in the justice system. In a similar fashion, successful evidence-based programs will increase the human and social capital of youth, thus supporting them in being productive members of society.

### **Nature of the Study**

This research used a qualitative case study approach to facilitate this study on the utility of restorative justice in reducing recidivism for African American males' ages 12-17 in urban communities. The study provided an opportunity to research the restorative justice phenomena of choice as an alternative to punitive justice in Baltimore Cities' urban community. Case study provides an opportunity for using purposeful sampling to study a bounded system/one case, and or multiple bounded systems/cases over time (Creswell, 2007; Patton, 2002). In particular, the intrinsic case study design, which focuses on one unique specific case, will be used (Creswell, 2007, pp. 73-74). Purposeful sampling will be facilitated through intensity sampling strategies that describe the impact

that restorative justice programs have on the community. Generally, intensity sampling is explained by (Creswell, 2007) as “information-rich cases that manifest the phenomenon intensely but not extremely” (p. 127).

It is also important to note that the case study was preferred because it provides an opportunity for face-to-face interaction that facilitates an inductive data analysis approach. Qualitative case studies are deductive in nature. Further, case study provides a natural setting whereby the researcher can garner various data through interviews, documents, archival data, and observation. As a result, the information-rich data can be reviewed collectively for emerging themes (Creswell, 2009, pp. 175-176). Qualitative data analysis from the information garnered will be leveraged subjectively describing the effects of restorative justice. Broadly, this was a concrete approach providing an opportunity to examine an existing evidenced-based restorative justice program proven to be effective in urban environments for African American males’ ages 12-17.

Computer software programs such as NVivo 8 were used during the analysis process to code text or other elements of the data sources and to manipulate data and graphically displaying codes. Both traditional and software-assisted strategies (Patton, 2002) have the potential to enhance the reliability, quality, and credibility of the research findings. With this in mind, a final decision as to how coding will be accomplished was made based on the volume of data that was collected.

### **Definitions**

*Evidenced-Based Practice (EBP)*: It entails the capability of implementing what has been proven to be scientifically effective in a real world setting (Rodriguez & Baille, 2010, p. 43).

*Family Group Conferencing (FGC) or Community Conferencing:* FGCs involve a meeting between the offender, accompanied by his or her supporters, and the victim, also accompanied by his or her supporters. The meetings are organized and run by a trained facilitator with community support, and include a discussion of the incident and the harm brought to both the victim and all the supporters. The goal of the conference is to allow forgiveness, in addition to the community solving the problem that benefits the common good for the community (Bradshaw & Roseborough, 2005, p. 16).

*Net Widening:* Net-widening refers to the unintended increase in people in the criminal justice system due to new practices (Prichard, 2010, p. 113).

*Recidivism:* Recidivism can be described as the propensity of offenders to reoffend after their initial contact with the justice system (Stoodley, 2010, p. 86).

*Reintegrative Shaming:* Reintegrative shaming is a theory that emphasizes that reintegrative shaming is respectful shaming that prevents transgression in the community (Hays, 2006).

*Restorative Justice:* Restorative justice is a consensus return to justice by the victim, offender, and the community reaffirming principles infringed upon by transgression committed on the community (Wenzel et al., 2008, p. 381).

*Retributive Justice:* Retributive justice proposes that punishment be meted out in direct proportion to the transgression committed on the community (Wenzel et al., 2008, p. 381).

*Shared Identity:* Shared identity describes the sensitivity that people have based on a shared perception and value consensus between the victim and offender in meting out punishment (Gromet & Daley, 2009, p. 52).

*Stakeholders:* Stakeholders are described as individuals directly affected by the transgressions of the offender, including the victim, offender, their family, community, and the justice system (McCarter, 2009).

*Therapeutic Jurisprudence:* “Therapeutic jurisprudence is "the use of social science to study the extent to which a legal rule or practice promotes the psychological and physical well-being of the people it affects” (Schma et al. as cited in Sellers, 2009, p. 437).

*Victim Offender Mediation (VOM):* Is a form of justice whereby the victim meets with the offender and/or family in safe a face-to-face conference facilitated by a mediator aimed to restore a consensus restoration for his or her transgressions (Bradshaw & Roseborough, 2005, p. 16).

*Zero tolerance Policy:* Over the past decade, many schools have adopted zero-tolerance policies to curtail negative student behavior, but according to the American Bar Association’s zero-tolerance policy report: Zero tolerance means that a school will automatically and severely punish a student for various infractions (Zaslaw, 2010, p. 10).

### **Assumptions**

1. All information garnered throughout this qualitative case study was accurate and current.
2. Juvenile justice practitioners participating in this study spoke freely and honestly during personal interview session.

### **Scope and Delimitations**

The scope this project encompassed was examining effectiveness of restorative justice programs in reducing recidivism rates for African American males ages 12 to 17,

specifically in urban communities. This population was specifically targeted because it has been determined that there are more juvenile male African American offenders between ages 12 to 17 in urban communities. Specifically, for the purpose of this study, the focus will be directed toward effective restorative justice programs within the Baltimore City region because of the demographic location, which facilitates the implementation of the study.

This study did not include females, participants who are not African American, and participants who do not fall into the 12-17 age range because reports have identified that there are more juvenile male African American offenders between ages 12 to 17. As it is believed that males have different perspectives as opposed to their female counterparts, this study focused on male African Americans. Studying the utility of restorative justice for those who fall outside of the limits of this research could be meaningful, but time and resource restraints precluded the inclusion of any other groups in this study.

### **Limitations**

The study has several limitations. For example, the study used one specific case to take a broad view on the impact of the restorative justice phenomenon on the community. Potentially design and/or methodological limitations of the study are that the researcher was the data collection instrument, in addition to using preexisting data. Furthermore, qualitative research is broad in scope and may be affected by fiscal and time constraints related to the study (Patton, 2002). It is also important to note that I work in a juvenile detention center in a large urban environment, which creates the potential for bias of the study. With this in mind, however, I worked to establish transparency regarding my

biases in the onset of the study design and used bracketing techniques to separate my feelings and opinions for the data.

### **Significance**

The significance of this study may prove to be wide-ranging because of the potential benefit that restorative justice provides youth, the juvenile justice system, and many stakeholders in the community. This goal can be achieved by addressing the existing challenges faced with finding and implementing effective restorative justice programming in urban communities. The study also has the potential to identify what programs work and what programs do not work. Moreover, the study may be a vehicle that drives juvenile justice practitioners, policy makers, and academics to understanding characteristics of successful restorative justice programs for youth in urban communities. Furthermore, it gives juvenile justice practitioners a method to view and evaluate restorative justice programming effectiveness in reducing recidivism rates, particularly youth of color in urban communities.

Broadly, the related literature has focused on the practical need for the juvenile justice system in the United States to shift to restorative justice practices, particularly for African American males between ages 12 to 17 in urban communities. In addition, the literature suggests that the utility of restorative justice on the community is that it reduces recidivism, and it improves the psychological dynamics associated with victim/youthful offender and the community. The result of this study is significant in addressing the need to have a restorative justice program for juveniles.

### **Social Change**

Effective restorative justice programs benefit the victim and builds trusting relationships that manifest in creating a win-win situation for all significant stakeholders in their respective community. Equally important, restorative justice (Prihan, 2009) reduces economic stress and increases the moral expectation within the community. Accordingly, effective restorative justice programs aim to restore victims/communities back to homeostasis and assist youthful offenders to become law-abiding citizens in their respective community. The results of this study could encourage individuals to establish lasting relationships between stakeholders. The findings of this study could help establish effective restorative justice programs.

Restorative justice reduces economic stress and increases the moral expectation within the community. Restorative justice at its core is important because it underpins the human and social capital of the victim, the youthful offender, and the community as a whole. Restorative justice can also have a major impact on youth in the juvenile justice system, as it affords them an alternative form of justice. The significance of this study is deeply-rooted in core values of restorative justice principles which embrace the notion that the community works in harmony with the victim and offender for consensus resolution. More important, however, is the fact that the literature starkly suggests effective restorative justice programming reduces the likelihood of youth languishing in detention centers throughout the United States.

### **Summary**

Chapter 1 provided a discussion on the background of restorative justice programs. This chapter also highlighted the gap in literature through the problem



statement that this study sought to address. Moreover, this chapter provided the purpose of the study as well as the specific research questions that will be considered in this study. In addition, this chapter introduced the theoretical framework, which focuses on the utility of restorative justice in reducing recidivism for African American males between ages 12 to 17 in urban communities. Furthermore, it addressed the nature for the study as being a bounded qualitative case study, followed by the definitions, assumptions, scope, and delimitations. It also addressed the study's limitations, in addition to the significance of the study as it relates to positive social change for youth, their families, and the community in general. Chapter 1 highlighted the practical need for juvenile justice systems in the United States to transition to restorative justice as a new paradigm. The literature indicates that restorative justice reduces youth participation in the juvenile justice system. Further the literature suggests this is true for youth of color, and in particular for African American males between ages 12 to 17, in urban communities. The literature also concretely advocates the utility of restorative justice in the community as it reduces recidivism, and it improves the psychological dynamics associated with victim/youthful offender and the community.

Chapter 2 will examine current theoretical and empirical literature pertinent to the restorative justice phenomenon from multiple points of view. In addition, the focus was to review literature from a qualitative perspective; therefore, better understanding the significance of the restorative justice phenomenon, particularly within urban communities for African American males ages 12 to 17. This includes significant literature relevant to address the research questions, and illuminate the background, problem statement, and the purpose of the study. Furthermore, Chapter 3 will provide a discussion on the

methodology considered for this study. This chapter will include a discussion on the appropriateness of the research design as well as the data collection and data analysis procedures that will be used to answer the research questions. Chapter 4 will provide a summary and the analysis of data collected while Chapter 5 will provide the discussion on conclusions and recommendations.

## Chapter 2: Literature Review

### **Introduction**

Historically, restorative justice may be the most ancient system for carrying out justice, arguably common to all societies at some time (Hill, 2009). The contemporary restorative justice phenomenon grew out of victim-offender mediation programs started by Mennonite communities in North America during the 1970s (Hill, 2009). The first restorative justice programs in the United States emerged in the late 1970s (Umbreit & Armour, 2011). Victim-offender mediation is the oldest and most extensively utilized type of restorative justice and as such has accumulated the largest empirical evidence base (Abrams, Umbreit, & Gordon, 2006). Conferencing, another form of restorative justice, includes conflict resolution techniques that are essential to the cultures of many indigenous groups, including the Maoris of New Zealand, Native Americans, Hawaiians, and Africans (Umbreit, Vos, & Coates, 2007).

Maori culture is most often mentioned in relation to restorative justice. New Zealand is widely recognized as the model for integrating restorative justice into the criminal-justice system (Maxwell & Hayes, 2006; Maxwell & Morris, 2006; Mutter, Shemmings, Dugmore, & Hyare, 2008). Australia as well as New Zealand has emerged as a pioneer in restorative justice, leading to the description of the Pacific region as “the cradle of modern restorative justice” (Maxwell & Hayes, 2006, p. 128). Most of the restorative justice programs center on youthful offenders although there are programs for adult offenders to a lesser extent. Given its origins in Maori culture, cultural sensitivity is an essential feature of the New Zealand model (Maxwell & Morris, 2006). In societies where there are differences in race, culture, ethnicity, gender, and social class, cultural

sensitivity plays a role in the success of the restorative justice process (Daly, 2008).

However, Baffour (2006) illuminated research on restorative justice comes from New Zealand, Australia, Europe, and Canada and there is a dearth of knowledge of how programs based on restorative justice principles affect African American and Latino youth and young women in the United States. Six years later, it appears this observation is equally true.

Restorative justice arose in New Zealand as a response to the overrepresentation of Maori youth in the justice system (Maxwell & Morris, 2006). A widespread issue in the United States is the disproportionate representation of youth of color in the juvenile justice system (Baffour, 2006; Hartney & Silva, 2007; Kakade et al., 2012; McCarter, 2009; Vazsonyi & Chen, 2010). Studies consistently show that the disparities cannot be explained by racial or ethnic differences in behavior. More than half the respondents (53%) in a survey conducted by the Center for Children's Law and Policy (CCLP) said they felt that African American youth are treated more harshly than European American youth for the same offenses and almost two-thirds felt that poor youth received inequitable treatment compared to middle-class youth (National Juvenile Justice Network, 2008). Fair and equitable treatment for all parties and individuals and community empowerment are cornerstones of restorative justice programs (Hill, 2009; Justice Action, 2012; Schetky, 2009; Sellers & Arrigo, 2009; Stahlkopf, 2009; Umbreit et al., 2007). Nevertheless, it is not surprisingly that restorative justice is frequently advocated in the context of reforms regarding the U.S. juvenile justice system. In Australia, restorative justice is at the center of an initiative for massive reform of the justice system (Justice Action, 2012).

The U.S. juvenile justice system has traditionally been based on the contrasting paradigms of retributive justice and rehabilitation or treatment (Dziedzic, 2008). In the retributive model a juvenile offense is defined as a crime against the state and the emphasis is on punishing the offender. Retributive justice is based on the flawed assumption that punishment is a deterrent to crime. In reality, the retributive model may increase the risk of recidivism by diminishing opportunities for education, employment, and community involvement, in addition to depriving youth opportunities for finding role models for prosocial behavior (Schetky, 2009). According to public opinion surveys, the American public overwhelmingly favors rehabilitation and treatment for youthful offenders, even for those who commit violent offenses (National Juvenile Justice Network, 2008; Varma, 2006). Further the vast majority of adults (89%) in the CCLP survey agreed that practically all youth who commit crimes have the potential to change their behavior (National Juvenile Justice Network, 2008). Most denounced is the practice of incarcerating youth without rehabilitative services as well as incarcerating them with adults. There was decisive support (76%) for interventions that keep nonviolent youth in their own communities, and preferably in their own homes receiving services under close supervision (62%; National Juvenile Justice Network, 2008).

Despite the lack of empirical evidence regarding the effectiveness of rehabilitation programs for youthful offenders, public support remains strong (Cullen, 2006). Programs built on restorative justice principles represent a viable alternative to the traditional paradigms and there is increasing evidence of their effectiveness. Restorative justice practices are harmonious with psychologically-based interventions in addressing conduct problems of adolescents (Schwalbe, Gearing, MacKenzie, Brewer, & Ibrahim,

2012). Individually targeted rehabilitation services based on client assessment are incorporated into a restorative justice model (Tjaden & Martinez, 2007). Competency development, another essential component of positive youth development, is also consistent with the restorative justice philosophy (Maloney, 2007; Verrecchia & Hutzell, 2010). Restorative community service provides young offenders with the opportunity to earn redemption, acquire skills, and prove their merit and it facilitates a bond between the youth and the community (Maloney, 2007). Moral reasoning is a critical competency among young offenders, which can be enhanced by their active participation in the restorative justice processes of victim-offender mediation or family group conferencing (Verrecchia & Hutzell, 2010).

Juvenile crime in the United States peaked during the 1990s (Farber, 2010). In many states the rise in juvenile crime facilitated the endorsement of policies imposing harsher penalties on youthful offenders including referral to the adult criminal justice system. Retributive justice became the dominant but counterproductive model for juvenile justice. Punitive policies dominated the educational system as well as the juvenile justice system. Harsh and inequitable school discipline policies have been implicated in the “school-to-prison pipeline” that contributes to the overrepresentation of African American youth in the juvenile justice system (Nicholson-Crotty, Birchmeier, & Valentine, 2009). By the turn of the new millennium there was a definite trend away from retributive practices and toward restorative justice (Farber, 2010).

Reforming the juvenile justice system has been described as a challenging but imperative endeavor. The adoption of evidence-based practices is regarded as a pivotal element in successful juvenile justice reform (Rodriguez & Baille, 2010; Townsend,

2011). Programs based on restorative justice principles typically emerge among the recommended strategies. Restorative justice is referenced in the context of *therapeutic jurisprudence*, which strives “to understand how the law can act as a healing agent” (Sellers & Arrigo, 2009, p. 437). The aim of restorative justice is to promote healing among all parties affected by the offense including the victim, the offender, and their perspective communities.

### **Literature Search Strategy**

The literature presented in this review is drawn from the following EBSCO databases: Academic Search Premier, MasterFILE Premier, PsycINFO, and PsycARTICLES. Keywords used either individually or in conjunction include: *restorative justice, juvenile justice, criminal justice, community justice, juvenile offenders, youth offenders, delinquency, race, ethnicity, African Americans, disparities, communities, neighborhoods, schools, policies, practices, programs, interventions, victim-offender mediation, and family group conferences.*

### **Restorative Justice**

Zehr’s (1990) definition of restorative justice is widely accepted by advocates of restorative justice practices. Restorative justice is defined as “a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible” (Zehr, 1990, p. 130). The conceptualization of restorative justice as a *process* is consistently emphasized in the literature. Broadly speaking, restorative justice can be regarded as a philosophical approach to justice based on humanistic principles (Braithwaite, 2006). A characteristic of restorative justice is that rather than emphasizing

the flaws or weaknesses of offenders and their victims, restorative justice is intended to capitalize on their strengths and their capacity to openly deal with the harm that has been done (Umbreit et al., 2007). The active involvement of the victim in the justice process is a unique feature of restorative justice which helps replace the feelings of helplessness or unfairness crime victims often feel with a sense of empowerment and restoration of wholeness. Ideally, the experience of victim-offender meetings humanizes both parties in each other's eyes (Abrams, Umbreit, & Gordon, 2006). Restorative justice programs is grounded in human rights values, emphasizing human dignity, relationships, community, freedom, and empowerment from both the perspectives of the victims and the offenders (Umbreit & Armour, 2011).

Balanced and Restorative Justice (BARJ) is the pioneer program model in the United States, adopted by 19 states by the early 21<sup>st</sup> century (Farber, 2010). BARJ is built on seven key principles of restorative justice described by a panel of experts at a 1996 teleconference sponsored by the National Institute of Corrections (Farber, 2010). The seven principles are: (a) crime is an offense against human relationships, (b) victims and the community are central to justice processes, (c) the first priority of justice processes is helping victims, (d) the second priority of justice processes is to restore the community to the extent possible, (e) the offender has a personal responsibility to the victims and the community for the offenses committed, (f) the offender will develop enhanced competency as a result of the restorative justice experience, and (g) stakeholders share responsibility for restorative justice via partnerships for action.

Umbreit and Armour (2011) emphasized that in restorative justice the focus is on the harm that has been done as opposed to the rules that have been transgressed. They



argued that restorative justice processes should be equal in addressing the concerns of both the victims and the offenders. Throughout the process, there should be respect and dignity for all parties, including the victims and offenders, community members and other stakeholders, and justice professionals. Whereas the obligations may be difficult for the offenders to fulfill, an important issue is that the obligations are attainable and the offenders are aware that they are not intended to be punitive or hurtful. Equally important, is the fact that exchanging of ideas, discussion, and collaboration are encouraged throughout the restorative justice process.

One of the major shortcomings of the American criminal justice system is the failure to reintegrate offenders into society (Hill, 2009). Restorative justice promotes reintegration rather than isolation of the offender (Umbreit et al., 2007). A White Paper titled *No More Excuses* issued by the Home Office in the United Kingdom frames restorative justice in terms of restoration, reintegration, and responsibility (Newbury, 2008). Responsibility emphasizes the role of young offenders and their parents taking responsibility for preventing future offending. By definition, reintegration, denoting “re-joining the law-abiding community” is built onto the framework (Newbury, 2008, p. 135). Restoration implies that the young offender apologizes to the victim and makes amends for the harm that has been done. According to Schetky (2009), restorative justice is not a panacea for delinquency; however, it is a highly promising medium for the reintegration of youth “who have taken a wrong term” in their communities (p. 7).

### **Reintegrative Shaming**

The emphasis of reintegrative shaming is not unwarranted as apologies are quite important to the victims and can help the victims and the offenders recover from the

harmful effects of the crime (Hayes, 2006). Further, Hayes stated that even without an apology, there are other features of the restorative justice process that have equal importance such as making amends by agreeing to make restitution, carrying out work for the victim, or performing community service. The apology and more broadly the dialogue characteristic of family group conferencing or victim-offender mediation can be conceptualized as a *repentance ritual*, which can be regarded as a type of reintegrative shaming (Braithwaite, 2006).

Braithwaite (2006) clearly distinguishes reintegrative shaming from shaming intended to stigmatize the person. In reintegrative shaming the person is treated with respect and dignity, emphasizing the bad deed and not the person. Reintegrative shaming is opposed to the notion of shaming someone for the purpose of ostracizing them from society. Reintegrative shaming culminates in repentance and forgiveness and the acceptance of the offender into the community. Despite the positive intentions, however, the terms “shame” or “shaming” can facilitate negative connotations (Hayes, 2006).

Braithwaite (2006) used the term *restorative shaming* from the perspective of the relationship of individuals to their community, whereby the offender is supported in returning to the community. Hayes (2006) preferred the term *guilting* to *shaming*, on the premise that shame focuses on the person whereas guilt focuses on actions. From Hayes’s perspective, shame may provoke other negative emotions such as anger and resentment that can encourage defensive behavior and denial of wrongdoing. In contrast, guilt feelings may reflect “recognition of the other and a desire to repair harms” (Hayes, 2006, p. 372).

### **Victim Orientation versus Offender Orientation**

There are two perspectives among the proponents of restorative justice (Hurley, 2009). One group focuses on the needs of the victims, giving the foremost priority to supporting and helping the victims, addressing the victim's needs, helping them work through their issues, and encouraging their active involvement in justice processes (Vidal, 2012). Another perspective focuses on the concerns of offenders (Hurley, 2009). Offender-oriented restorative justice is frequently considered an extension of or addition to the traditional criminal justice system. From this perspective, restorative justice is often driven by the offenders' needs (making amends and changing behavior), which are not necessarily compatible with the needs of the victim.

A persistent issue is whether restorative justice as it is practiced actually reflects the principles on which it is based (Braithwaite, 2006; Hayes, 2006; Maxwell & Hayes, 2006; Stahlkopf, 2009). Offender oriented restorative justice is meant to capture the needs of both the victim and the offender; the offender must make amends but also requires formal and informal support for rehabilitation and change (Hurley, 2009; Vidal, 2012). According to Vidal (2012), restorative justice is not offender-based or victim-based paradigms, but justice-based paradigm. Braithwaite (2006) is an advocate of restorative justice as a pure model of justice. Nevertheless, a partial model, which synthesizes restorative justice and retributive justice practices, is more compatible with the existing criminal justice system and more acceptable to the general public (Gromet & Darley, 2006, 2009).

### **Net Widening**

A potential problem with the partial model of restorative justice is that it may result in net widening. *Net widening* refers to an increase in the number of individuals coming in contact with the criminal justice system as the unintended consequence of a new innovation (Prichard, 2010). Net widening can potentially exacerbate existing discrimination related to race, ethnicity, gender, or social class even though the new practice was intended to counteract the problem.

Prichard (2010) examined net widening within the context of restorative justice in a quantitative longitudinal analysis of 50,000 records from Tasmanian criminal justice records from 1991 to 2002. Prichard found no evidence of net widening as a result of diversion programs for young Australian offenders. There was a marked decline in court appearance and concurrent increase in diversions. At the same time, there was a significant increase in detention orders. One possibility for that phenomenon was that the courts relied on detention orders as a mechanism for making youths accountable for their actions. The findings are not directly applicable to the United States because youth diversion has a long history in Australia, in sharp contrast to the retributive policies that dominate in the United States (Farber, 2010). Prichard's (2010) findings, however, show that net widening may not be a consequence of implementing new juvenile justice practices. Prichard conducted the study in light of restorative justice policy.

### **Restorative and Community Justice**

Another issue in the implementation of restorative justice is the relationship of restorative justice and community justice (Umbreit & Armour, 2011; Vidal, 2012). The synthesis of restorative justice and community justice is essential to BARJ; however, the

two models are not identical although they share similarities. From the standpoint of restorative justice, the stakeholders include members of the broader community as a whole. Restorative justice practices should be integrated with community justice, but restorative justice often operates in isolation as a paradigm (Hearfield & Scott, 2012). Rather than compromising restorative justice, the result can be a sense of community building and collective efficacy that contrasts the police surveillance, which can contribute to the overrepresentation of disadvantaged and minority youth in the juvenile justice system (Chauhan, Reppucci, & Turkheimer, 2009; Hartney & Silva, 2007). Community involvement is central to both restorative justice and community justice, resulting in increases in informal social control and social capital and subsequent decreases in crime (Ohmer, Warner, & Beck, 2010; Warner, Beck, & Ohmer, 2010). Probation officers report using strategies based on balanced and restorative justice in their work with young offenders (Schwalbe & Maschi, 2009).

### **Race, Ethnicity, and the Juvenile Justice System**

#### **Risk for Juvenile justice Referral**

Despite the persistent disproportionate presence of minority youth in the juvenile-justice system, Vazsonyi and Chen (2010) observed that few studies have investigated the relative risk of entry into the juvenile justice system among youths of different ethnic backgrounds, in addition, have also examined the influence of aggressive behavior in early childhood. In examining these factors, the researchers sought to create a model of the developmental trajectory of the risk of entering the juvenile justice system using a survival analytic technique. The sample comprised 4,679 children and early adolescents from families of lower and lower-middle socioeconomic status (SES) drawn from a large

longitudinal violence prevention program in the Tucson metropolitan area. More than half the participants were Latino/a (55.4%). The remaining participants in the diverse sample were European American (25.8%), Native American (13.6%), African American (4%), and Asian American (1.3%). The data covered a period of 10 years.

Aggressive behavior was assessed through the Child Behavior Checklist (CBCL) Teacher Report Form wherein teachers filled out behaviors checklist based on the observations of their students (Vazsonyi & Chen, 2010). The analysis included physical and verbal aggression and anger/hostility, all of which have been uniquely and independently linked with negative behavioral outcomes. The age of entry into the juvenile justice system and the reason for the referral were both included in the model. The analysis revealed that the risk for juvenile justice referral peaks at age 14 after rising from age 8 onward and then declined. The only effect for ethnicity was that Latino youth had almost twice the risk of juvenile justice referral than their peers from other ethnic groups. There were no other ethnic group differences. Male youth had a 23% higher probability of juvenile justice contact than their female peers did.

As Vazsonyi and Chen (2010) anticipated, the teachers' appraisals of aggressive behavior in elementary school emerged as an independent predictor of juvenile justice risk; in fact, every 1-unit increase in aggression nearly doubled the probability of juvenile justice referral. One somewhat paradoxical finding was that the youths from higher SES families were at increased risk for juvenile justice referral. The researchers surmised that risk taking or social power might account for the pattern which was unexpected but has also been found in other studies. At the same time, the sample was limited only to children and youth from relatively lower income backgrounds. Whether the effects for

SES would be different in a sample that covered a broader spectrum of socioeconomic classes and whether or how that might interact with ethnicity and/or gender are speculative.

### **Illegal Behaviors and Criminal Justice Involvement**

There is a prevalent acknowledgment that minorities are over-represented in juvenile and criminal justice systems (Hughes & Bostwick, 2011; Kakade et al., 2012). Whereas it is possible that the high risk for juvenile justice referral Vazsonyi and Chen (2010) found for Latino youth was a reflection of the locale or the disproportionate representation of Latino youth in the sample, there was nothing in the analysis that could explain the unduly high presence of African American youth in the juvenile justice system. The risk for juvenile justice contact was no higher for the African American students than for their European American, Native American, or Asian American peers, and the interactions of variables in the developmental trajectory were the same across ethnic groups. There are two contrasting perspective governing inquiry into the disproportionate representation of minority youth in the justice system. According to the *differential offending hypothesis*, the overrepresentation of minority youth is reflective of racial and ethnic differences in committing illegal offenses, the seriousness of those offenses, and the persistent engagement in illegal behavior (Kakade et al., 2012). In contrast, the *differential treatment hypothesis* posits that the disproportionate representation of minority youth can be attributed to inequities in the practices of the juvenile and criminal justice systems, whether intended or unintended.

### **Treatment within the Juvenile justice System**

According to Piquero (2008), there is an overrepresentation of minorities in juvenile- justice systems. Based on this phenomenon, there are still a lot of gaps in terms of research policies that Piquero addressed in his evaluative research. Some of these important components of the juvenile justice system that is often overlooked include policing, state, and local initiatives, and the lack of updated information regarding the changes in the demographics of juvenile offenders in the country.

To address the overrepresentation of minorities in the criminal-justice system, Disproportionate Minority Contact (DMC) initiative was established (Kempf-Leonard, 2007). According to Kempf-Leonard (2007), the efforts of the DMC to reduce the overrepresentation of minorities in the criminal justice system, even though it has achieved some progress, is still not successful in explaining and addressing the problem. The implication of the lack of success of the DMC initiative is the apparent complexity of the interplay among the relationships of individuals, families, the community, and the criminal justice system.

Research from Virginia sheds knowledge on racial disparities within the juvenile justice system at the state level. A unique feature of McCarter's (2009) study is the inclusion of qualitative and quantitative data. The quantitative dataset consisted of 2,920 juvenile cases gathered for an investigation of court processing and outcomes of juvenile cases throughout the state. Due to the small proportion of young female offenders, only males were included in the analysis, which focused on African American and European American youth. The qualitative accounts came from surveys and interviews with 36 purposive samples chosen to represent a diverse group of stakeholders which included



juvenile court judges, Commonwealth attorneys, defense attorneys, and police officers, as well as youths and their families.

Results of univariate and bivariate analyses demonstrated the presence of racial disparities in juvenile justice processing and sanctions for African American and European American juvenile male offenders (McCarter, 2009). Only one legal factor influenced the results: the severity of the offense. Specifically, youths who committed less severe offenses were more likely to be diverted. Incarceration was influenced by four factors, two legal and two personal: more serious criminal act, prior record, African American race, and having repeated a grade. Three-quarters of the criminal-justice professionals interviewed agreed that there were disparities in processing and sanctions for African American and European American youths within the Virginia Commonwealth system. However, most of the legal and justice professionals felt that crime severity and prior record were the dominant factors in deciding whether the youths were diverted or incarcerated, while half the youths and their families said that race influenced diversion and incarceration.

A few of the professionals mentioned family structure as playing a role in the juvenile justice process, but neither the adolescents nor their parents expressed similar views and there was no effect for family structure in the quantitative analysis (McCarter, 2009). Although there were no references to grade retention as such, the participants were unanimous in the perspective that a lack of educational attainment among most youth in the juvenile justice system presented a barrier to their success and might have played a role in their delinquent behavior. The NLSY97 data documented the negative impact that youth arrest has on the educational attainment of African American adolescents (Katade

et al., 2012). McCarter et al. (2009) advocated community-based efforts (such as educational programs) as well as “evidence-based structural change” in juvenile justice policy and practice that focus on changes in processing and sanctions to correct the existing inequities in the juvenile justice system (p. 542). By implication, the adoption of restorative justice practices such as victim-offender mediation, which has a sound evidence base (Bradshaw & Roseborough, 2005) could be one of the policy changes.

### **Neighborhood Effects**

Examining the influence of neighborhood characteristics on social behavior and crime has become a staple of sociology and criminology research. Mennis et al. (2011) traced this trend to the 1987 publication of Wilson’s book *The Truly Disadvantaged*, which generated a wave of scholarly interest in the effects of the neighborhood on a range of outcomes including cognitive development, educational attainment, teenage or unplanned pregnancy or parenting, and employment. This academic activity coincided with a surge of attention to social disorganization theory among criminology scholars. The developmental and social disorganization lines of research converge to provide more sophisticated understanding of the socializing effects (positive and negative) of neighborhood characteristics on children and adolescents.

According to Mennis et al. (2011), understanding the role of neighborhood effects on youth development and delinquency is especially important in view of the recent proliferation of “aftercare services” for preventing recidivism among adjudicate youth (p. 175). The driving force for their research is the premise that features of the environment can either promote or impede healthy adolescent psychosocial development. Formal intervention programs can be designed for delinquent youth that counteract negative

environmental influences. As part of a project funded by the National Institute of Justice (NIJ), Mennis et al. conducted a detailed analysis of how neighborhood features affect the probability of delinquency and recidivism among youth. Philadelphia was the site of the study and the characteristics examined included SES, crime, and collective efficacy, which was operationalized in terms of five factors drawn from the survey: *participation* in local civic groups; *neighbor* and *improvement*, denoting perceptions that neighbors help one another and work together on community projects; and *belonging* and *trust*, referring to the relationships community members have with their neighborhood and their neighbors.

Neighborhood features exhibited a much stronger influence on delinquency than on recidivism (Mennis et al., 2011). At the same time, two factors emerged as the dominant predictors of both delinquency and recidivism: violent crime and poverty. In fact, the link between violent crime and the proportion of residents receiving public assistance was so high that it was practically impossible to distinguish the effects of each one on delinquency and recidivism. An interesting finding was that in spite of the effect of poverty and crime on delinquency and recidivism, there were differences in the neighborhood effects according to race. Specifically, delinquency rates tended to be higher in African American neighborhoods, even after accounting for the effects of crime and poverty, but the recidivism rates were lower even in African American neighborhoods marked by high rates of delinquency. Overall, European American and Latino neighborhoods had higher rates of recidivism than African American neighborhoods. The contrasting trends in delinquency and recidivism in African American neighborhoods seemed to be driven by the presence of middle-class, low-crime

African American neighborhoods that had elevated rates of delinquency but were not conducive to repeat offenses.

Knowledge of community delinquency prevention and intervention programs and individual cases would provide greater insight into how neighborhood features affect juvenile crime (Mennis et al., 2011). At the neighborhood level, restorative justice programs could potentially reduce juvenile crime and recidivism by instilling residents with a sense of empowerment and fairness. Contrary to expectations based on the regression models using the sample of juvenile delinquents in Philadelphia, none of the collective efficacy variables were significant in the analysis. The variables examined in the study were neighborhood characteristics in terms of juvenile offending and recidivism. This finding was not expected because programs designed to enhance neighborhood collective efficacy is expected to be successful in reducing crime. Building collective efficacy was one of the aims of a pilot training program built on the principles of restorative justice as a violence prevention strategy in a low-income Atlanta neighborhood (Ohmer et al., 2010). Social disorganization theory, social capital, and social control served as a framework for the program.

Williamson, Ashby, and Webber (2005) argued that data on youth offending related to neighborhood and school characteristics should be used to guide community policing programs. Their study took place in Nottinghamshire in England and some of the findings are not directly applicable to the United States. The study utilized 34,000 anonymized records containing information on juvenile offenses within a span of 5 years. The study confirmed that young offenders tend to be concentrated in certain sociodemographically high-risk areas and attend schools that are marked by risk factors

for delinquent behavior. Beyond poverty and family disorganization, the most striking contributor to juvenile crime was “an almost complete absence of any economically successful people,” thereby depriving young people of role models who are successful in socially accepted endeavors (p. 222). Social isolation rather than poverty by itself was the decisive factor in youth offending.

### **Race and Gender**

McCarter (2009) had initially intended to include female youth offenders in his study but excluded them due to their small numbers in the Virginia juvenile justice system. Chauhan et al. (2009) focused their study of neighborhood disadvantage, exposure to violence, and recidivism among girls who had been incarcerated in a juvenile facility in Virginia. Studies have found that girls and boys react differently to violence and there is some evidence that exposure to violence may have different effects on African American and European American girls. On the whole, based on the data collected from self-report, census data, and official criminal records, the results of the t-test and correlation analyses showed that children who experience violence are at higher risk for engaging in criminal activity as adolescents or adults. Two types of violence were included in the analysis: physical abuse by parents and witnessing neighborhood violence. The participants were 122 girls ranging in age from 13 to 19, of whom 50% were African American, 38% European American, and 12% members of other ethnic groups.

The findings of Chauhan et al.’s (2009) study showed that neighborhood disadvantage and exposure to violence both exhibited unique effects on recidivism among the young female offenders. Further analyses revealed different patterns for the

European American girls and African American girls, which are obscured in studies that focus on gender differences. There were no racial differences in the extent that the girls had been subjected to or had witnessed violence. Among the African American girls, neighborhood disadvantage was not necessarily linked with witnessing a greater degree of violence. For the group as a whole, however, neighborhood disadvantage was associated with recidivism. Poverty and recidivism were related as they were in the Philadelphia study (Mennis et al., 2011). Exposure to neighborhood violence and low levels of parental monitoring have both been implicated as potential contributors to delinquency among youth residing in impoverished neighborhoods (Chauhan et al., 2009). Overall, both studies found interrelationships among poverty, neighborhood crime, and juvenile recidivism (Chauhan et al., 2009; Mennis et al., 2011).

The unique effects for race emerged in the study of female offenders in that for the African American girls there was a path between neighborhood violence and juvenile recidivism, yet for the European American girls the path was between the experience of violence at home and recidivism (Chauhan et al., 2009). Possible reasons for these patterns were that the European American girls were more often abused by both parents, thus intensifying the impact of physical abuse, yet the African American girls tended to live in more disadvantaged neighborhoods where street violence might have been more intense and persistent. In fact, Chauhan et al. implicated neighborhood characteristics as a key reason for the disproportionate representation of African American youth in the justice system, suggesting factors such as intensive police surveillance, easier access to weapons, and the predisposition of the police to make arrests in high crime communities.

### **Informal Social Control**

The pilot training program described by Ohmer et al. (2010) took place at a community organization that had three key components: (a) teaching residents consensus organizing techniques for forging relationships with other residents and external stakeholders, (b) helping residents identify and establish community norms supporting prosocial behavior and mutual trust, and (c) teaching residents skills to boost their self-efficacy and ability to intervene directly in inappropriate behavior in a respectful and supportive fashion, based on the tenets of restorative justice. The training program focused on three types of crimes that seemed most conducive to the effects of neighborhood intervention: burglary, larceny, and car theft. All three crimes had increased during the previous year. Indirectly, however, the program has the potential to affect delinquency by virtue of its emphasis on prosocial norms and the reduction of criminal behavior. In addition, the participants were free to employ their skills in any situation they deemed appropriate, which included inappropriate or antisocial youth behavior. Sixteen neighborhood residents completed the training program and the surveys at the start and end of the training. After completing the programs, the residents were more inclined to intervene in neighborhood situations including loud domestic disputes or parties, and notably, scenes in which elementary and teenage boys missed school or were hassling another boy (Ohmer et al., 2010).

The outcome of the Ohmer et al.'s (2010) study indicated that exposure to training programs that involved restorative justice was beneficial in the neighborhood. The positive effect is based on the likelihood that residents who participated in the training are

more likely to intervene in case problems in the neighborhood arise and the manner in which the intervention is expressed is through non-violent means. A program of this type extends the principles of restorative justice to the *prevention* of juvenile crime as well as the prevention of recidivism after an offense has been committed. The participants approached the situation directly and nonviolently and behaved respectfully to those involved in the incident. In situations involving children and adolescents, this behavior constitutes modeling of prosocial behavior (Bandura, 1977). On the whole, the participants felt that their neighborhood was a safer place (Ohmer et al., 2010). In view of the role played by neighborhood characteristics on juvenile crime and recidivism, a neighborhood crime prevention program based on restorative justice principles has the potential to reduce both. An expansion of the program could include training adolescents (including former offenders) in prosocial community intervention skills.

### **School Effects**

The term *school-to-prison pipeline* has become ubiquitous in the literature, representing the connection between school characteristics, and in particular, disciplinary practices, and the overrepresentation of minority youth in the juvenile justice system. According to Nicholson-Crotty et al. (2009), disparities in the educational and juvenile justice systems have traditionally been examined in parallel but essentially separate methods of research. As implied in the term “school-to-prison pipeline,” there is growing recognition that the two systems are not disconnected for disadvantaged and minority youth (Nicholson-Crotty et al., 2009). The zero tolerance school discipline policies that became popular during the 1990s have been especially pervasive in urban schools. After 15 years, this trend has begun to reverse, as schools move away from punitive measures



toward strategies based on the principles of nonviolent conflict resolution and restorative justice (Schachter, 2010; Zaslaw, 2010).

An important force for positive change was a 2006 report by the American Psychological Association (APA) documenting that schools had not become safer as a result of zero tolerance policies but rather had become unfriendly environments that were not conducive to student learning (Schachter, 2010). Similarly, the American Bar Association (ABA) issued a report not only disapproving zero tolerance policies but stating that zero tolerance “has redefined students as criminals with unfortunate consequences” (ABA, as cited in Zaslaw, 2010, p. 10). Positive Behavior Support (PBS), which focuses on the social and emotional influences on students’ behavior, has superseded punitive disciplinary policies in a number of large cities including New York, Los Angeles, and Denver (Schachter, 2010). Restorative justice is a more recent innovation, providing opportunities to devise flexible and creative strategies for dealing with school behavior problems. Both PBS and Restorative Justice stress the role of the offender in understanding the impact of his or her actions and making suitable amends (Schachter, 2010; Zaslaw, 2010).

The ABA’s statement that zero tolerance policies have “redefined students as criminals with unfortunate consequences” (Zaslaw, 2010) is especially appropriate for describing the situation for minority youth attending urban schools. Nicholson-Crotty et al. (2009) investigated the connection between school disciplinary decisions and the overrepresentation of African American youth in the juvenile justice system using data from 53 Missouri counties. The focus was on African American and European American adolescents between the ages of 12 and 17. The counties were included in the study if

they had at least 30 African American youth representing at least 1% of the youth population for the years 2004 or 2005. The data were drawn from a number of sources including elementary and secondary school discipline records, census data, juvenile justice records, and adult traffic stop statistics.

Various quantitative studies that utilized self-reports and official records as data consistently find a link between neighborhood poverty and juvenile crime (Chauhan et al., 2009; Katade et al., 2012; Mennis et al., 2011). The Missouri study used a different approach, however, and demonstrated that African American youth were more often referred to the juvenile justice system in counties with greater income disparities between White and African American households (Nicholson-Crotty et al., 2009). Conversely, there was less discrepancy in referrals for European American and African American youths in counties with higher African American employment. Among the nonschool factors, the most powerful influence on the disproportionate referral of African American youth was population density, signifying that racial disparities in referrals were high in urban areas. Urban schools were the most heavily impacted by zero tolerance policies, with detrimental effects (Schachter, 2010).

To Nicholson-Crotty et al. (2009), the “real variable of interest” was out-of-school suspension, which was strongly and positively linked with the relative rates of referral to the juvenile justice system even after controlling for environmental factors (p. 1014). As a result, greater racial disproportion in exclusionary disciplinary practices translated into disproportionate referral rates to the juvenile justice system, independent of factors such as poverty, urban residence, and employment. Logically, the exclusion of students from school as a disciplinary measure appears to be contradictory. Students

excluded from school have few opportunities to observe and be part of pro-social behavior and more opportunities to engage in delinquent behavior. In addition, the perception that the treatment is unfair or racially biased is likely to generate or reinforce negative attitudes toward school.

Analyses of the relationships between the students' school violations and suspensions found that African American students were more likely to be suspended for four of the six types of violations (violence, weapons, alcohol, tobacco, drugs, and unspecified). Only drug and alcohol related offenses did not result in significant racial differences in suspensions (Nicholson-Crotty et al., 2009). The disparity was especially striking for weapons offenses. Nearly all the African American students (>95%) who committed weapons offenses were suspended but only 85% of the European American students received the same sanction. Bringing a weapon to school is the most serious and dangerous of all school violations, which theoretically should produce uniform sanctions. African American students were also 1.5 times more likely than their European American peers for the far less serious offense of having a tobacco product. The inequities in treatment for European American and African American youth who commit school violations parallel the inequities in the juvenile justice system (Hartney & Silva, 2007), while at the same time raising the risk for juvenile justice referral (Nicholson-Crotty et al., 2009).

To address the inequities in school discipline practices and by extension disrupt the school-to-prison pipeline, Nicholson-Crotty et al. (2009) advocate PBS and other prosocial school violence and delinquency prevention programs. Restorative justice programs have been found to produce significant declines in school suspensions and

expulsions as well as creating a positive learning environment (Schachter, 2010; Zaslaw, 2010). For example, the Minnesota Department of Education reported a 30% to 50% decline in elementary and secondary school suspensions after the implementation of restorative justice practices (Zaslaw, 2010). In the Denver Public Schools, the implementation of PBS and restorative justice approaches resulted in a decrease in school suspensions from a high of 14,000 for the 2002-2003 school years to roughly 8,000 for 2008-2009 (Schachter, 2010).

### **Restorative Justice/Empirical Research**

“The aim of restorative justice is to repair the harm done by the crime by bringing together the people most affected by the offence to determine how to deal with the offence; dialogue, reparation, and accountability are critical components” (Bradshaw & Roseborough, 2005, p.15). As the most popular form of restorative justice, victim-offender mediation has accrued the largest empirical evidence base (Bradshaw & Roseborough, 2005). Several aspects of victim-offender mediations have been examined by past researchers, which included satisfaction, apology, diversion, and recidivism (Bergseth & Bouffard, 2007; Bradshaw & Roseborough, 2005; Choi & Severson, 2009; Dhimi, 2012; Hayes, 2005; Prichard, 2010; Stahlkopf, 2009).

In a qualitative study conducted by Stahlkopf (2009), juvenile offenders were largely satisfied with the process of victim-offender mediations, which was perceived as fair and empowering. When apologies are accepted by victims, perpetrators may be more likely to feel satisfied with the victim-offender mediation process (Dhimi, 2012). The young people were pleased that adults asked for their thoughts and listened to them, and

in particular, they were happy that they were given a “second chance” (Stahlkopf, 2009, p. 247).

Apology was the focus of Dhami’s (2012) qualitative study involving the analysis of 57 records of mediations in the United Kingdom from the period of 2008-2010. The main purpose of the study was to explore apology from the perspective of the content of the actual apology, specifically how apology could influence the success of restorative justice programs. The results of the content analysis that was performed showed that the words “I’m sorry” have been said by perpetrators more than one-third of the cases reviewed, whereas full apologies were extended to the victims approximately one-fifth of all cases reviewed. Moreover, the results also showed that apologies were accepted by the victims as high 90% of all the cases reviewed, but forgiveness occurred less frequently.

Choi and Severson (2009) also explored apology in a qualitative study set in a mid-western state with the purpose of examining victim-offender mediations. The data were collected from semi-structured interviews of participants included juvenile offenders and their parents, and mediators. The results of the content analysis showed that the perceptions of the genuineness of apologies are significantly different between offenders and their victims, underscoring the complex relationships and processes involved in victim-offender mediations.

One stakeholder that is sometimes neglected in the topic of victim-offender mediations are the roles and skills of mediators. Choi and Gilbert (2010) conducted a qualitative study based on 34 interviews of juvenile offenders and their parents and mediators in a Midwestern state in the United States. The results of the content analysis showed that the role of mediators in restorative justice in principle may not be always

consistent with how mediators actually perform their job in real life mediations. The implication of the results is that there may be discrepancies between principle and practice when it comes to how mediators perform their jobs in mediations.

Diversion is a problematic issue within the juvenile justice system. Although the overall goal of victim-offender mediation is diverting juvenile offenders away from more expensive, time consuming, and punitive options, there are also concerns that it might have the unintended consequence of widening the net (Prichard, 2010). The Australian study showed no evidence that diversion strategies widened the net (Prichard, 2010).

Recidivism is included in evaluation studies as an indicator of the long-term impact of criminal justice programs understanding of how juvenile justice program affect recidivism; however, is complicated by the absence of a standardized definition (Stoodley, 2010). In addition, there are few studies examining the long-term impact of restorative justice (Bergseth & Bouffard, 2007). Overall, victim-offender mediation was at least if not more effective as conventional probation in decreasing recidivism. More recent studies have found evidence favoring restorative justice over traditional practices (Bergseth & Bouffard, 2007; Justice Action, 2012).

Bradshaw and Roseborough (2005) conducted a meta-analysis of research studies of restorative justice programs for youth offenders. Only studies that investigated recidivism as an outcome measure and employed a comparison group were included in the meta-analysis. The selection criteria produced 19 studies encompassing 11,950 young offenders from 25 different sites. The study involved the examination of family group conferencing as well as victim-offender mediation and by including studies conducted after 2000 (Bradshaw & Roseborough, 2005). Out of the 19 studies, 15 yielded positive

effect sizes, three studies had negative effect sizes, and five studies showed no intervention effects. Overall, the use of victim-offender mediation and family group conferencing contributed to a 26% decline in recidivism. The researchers noted that the average effect size of .26 is more than double the effect size of .10 reported in an earlier study for traditional justice programs.

Although victim-offender mediation and family group conferencing both produced favorable results, it is important to note that there was a significant difference in impact between the two programs (Bradshaw & Roseborough, 2005). Victim-offender mediation produced the more impressive results, with an effect size of 0.34 compared to 0.11 for family group conferencing. At the same time, family group conferencing is a more recent innovation in restorative justice programs and was only included in 4 studies, leading Bradshaw and Roseborough (2005) to classify it as a “promising, but experimental intervention” for preventing recidivism in young offenders (p. 19). The authors called for additional research on family group conferencing as well as on peacemaking circles, which have been largely ignored in research on restorative justice programs.

Hayes (2005) reanalyzed data from the Bethlehem, Pennsylvania, Restorative Policing Experiment to examine the impact of the program on recidivism. A notable feature of the program is that it includes violent offenders, who are excluded from many restorative justice programs. In fact, the comparative analysis revealed that violent offenders who participated in conferences were less likely to recidivate than violent offenders who were referred for court proceedings. Conference participation did not have the same positive impact on offenders who committed property crimes. There were no

significant differences in reoffending between those referred to court and those involved in conferences. There was a gender effect for the conferences as women who attended conferences were less likely to reoffend than their male counterparts while men and women referred to court had equivalent rates of reoffending. According to Hayes (2005), satisfaction with how their cases were handled was extremely high for both the conference (97%) and the court (91%) participants. The study illustrated how different subgroups of offenders are affected by court or conference participation.

Calhoun and Pelech (2010) presented a comparison study of adolescent offenders who participated in CCC or the traditional court system. There were 60 participants in each group. The young offenders were assessed on eight factors in three categories: *accountability* (assumes remorse, experience empathy, experience remorse, commits to redress), *relationship repair* (experience respect, understand impact), and *closure* (experience acknowledgement, hopefulness for the future). At the pretest there were significant differences between the two groups on seven of the eight factors (all but experience acknowledgement). Hopefulness for the future favored the comparison group while all the other factors favored the CCC group (Calhoun & Pelech, 2010). At the posttest both groups showed positive changes. The magnitude of the changes, however, was greater for the CCC participants. The researchers consider their findings intermediary evidence of the potential benefits of restorative justice for young offenders. CCC is subject to ongoing evaluation.

### **Family Group Conferencing**

Mutter et al. (2008) presented part of an evaluation report of the *Family Group Conferences (FGC) Project for Young People Who Offend*, implemented in England and



based on the New Zealand model. A unique feature of the New Zealand model is “private family time,” which entrusts the family with all decisions related to conflict resolution and planning for future solutions. Family group conferencing has previously been relegated to the child welfare system in the United Kingdom and has just recently been extended to the juvenile justice venue. The pilot study of family group conferencing occurred over a 15-month period during which 30 conferences were held. An independent coordinator was appointed to lead the meetings. The tasks of the coordinator included assisting the young offenders and their families with inviting family members and preparing all the participants, particularly the victims. Only those offenders for whom it seemed likely to accept responsibility for the offense were invited. Other participants included professionals involved with the case or with the young offender and the victim’s relatives where appropriate.

The study presented by Mutter et al. (2008) focused on the attitudes of the young offenders toward the family group conferences, including any psychosocial changes that resulted from the conference. The offender group was comprised 26 young men and four young women. With the exception of one participant who was undecided, all the participants felt they were heard and were treated with dignity and respect. Only 16 of the participants (55%) met the victim directly. Most of the participants awarded high importance to making amends for the harm done and “being able to tell the victim what happened” (p. 266). All but four participants felt the apology was important and most deemed it very important. All but two of the participants offered an apology and one of those was unsure. Twenty-two of the participants (79%) said they had “put the offense behind them now” and the same number reported they were satisfied with the outcome of

the case. Interestingly, the young offenders were overwhelmingly positive in their belief that the agreement was fair to them (93%) but they were divided on whether the agreement was fair to the victim.

There were notably positive changes in the attitudes of the young offenders, which they related to a new perspective on their behavior and its impact on others. Mutter et al. (2008) attributed the positive psychosocial changes to successful reintegrative shaming (Braithwaite, 2006). Quantitative analyses showed significant declines in the seriousness and persistence of offending (Mutter et al., 2008). All the young men and women were under treatment or supervision and their scores on hyperactivity, conduct, and emotionality decreased over the study period. It is unclear whether the family group conference experience played a role in these changes. The findings support the notion that family group conferencing is a promising strategy for decreasing youth recidivism.

Not all empirical research showed significant benefits of family group conferencing in reducing recidivism. In a study conducted by Jeong, McGarrell, and Hipple (2012), the long term effects of family group conferencing on recidivism of juvenile offenders. The researchers employed an experimental design with a sample of 782 cases. The analysis involved two-process procedure of logistical regression and Cox proportional Hazards regression. The results of the analysis showed that at an extended period of 12 years did not reveal any significant difference between individuals who have exposure to family group conferencing and those who do not. The implication of the findings is that more research should be conducted regarding the long term benefits of family group conferencing as most research on the topic is based on short term benefits.

## **Ethnicity and Gender**

Baffour (2006) explored the role of ethnicity and gender in the relationship between family group conference participation and recidivism. The researcher used data from Bethlehem, Pennsylvania, focusing only on first-time offenders under the age of 18 who had gone through the probation system. The sample was approximately two-thirds male (65.1%), 39.7% European American, 7.5% African American, 49.7% Latino/a, and 3.1% members of other ethnic groups. A substantial proportion of the young offenders (37.4%) had the opportunity to participate in family group conferencing but declined. Little more than one-quarter of the group (27.4%) participated in family group conferencing. Those who declined expressed a variety of reasons for their decision.

Over the 18-month study period 28.1% of the young offenders were rearrested (Baffour, 2006). The experimental study involved the use of multivariate analysis of ethnicity and gender in terms of family group conferencing success in minimizing recidivism. Recidivism was lower among the family group conferencing participants. However, in view of the number of potential participants who declined to become involved in the program, the participant group appears to be highly self-selected. Thus, they may have been more determined not to repeat the harm they had caused by their actions.

Both the offenders and the crime victims preferred family group conferencing to traditional court proceedings, viewing the conference as fairer and more attuned to the needs of both groups. The young women had much lower rates of recidivism than their male counterparts did, consistent with most studies (Baffour, 2006). A striking finding was that African American offenders and victims were much more predisposed to decline

to participate in family group conferencing than their European American and Latino counterparts did. Baffour (2006) suggested that might have perceived court proceedings as fairer, which is ironic in view of the inequitable treatment African American youths are likely to experience in the court system (Hartney & Silva, 2007). Ethnicity was not an influence on recidivism (Baffour, 2006).

Baffour (2006) pointed out that restorative justice has a long history in African cultures. Mediation strategies such as family group conferencing can draw on the strengths, values, and cultural traditions of African American families, which would optimize the effectiveness of the program. In addition, family group conferencing can build on the close family ties characteristic of many Latino families. Despite the rich cultural heritage of restorative justice practices (which is routinely acknowledged in relation to Maori culture), there is scant attention to how cultural values can be infused into restorative justice programs in the extremely diverse American society.

### **Young Offenders Perspectives**

Abrams et al. (2006) conducted in-depth interviews with seven young offenders to gain insight into their perspectives on meeting with their victims in victim-offender mediation. The researchers noted that amidst all the studies of mediation, there is still minimal knowledge of the experiences of the young offenders who agree to take part in the meetings. Interviews were conducted with the families as well as the offenders. The sessions took place in a Minnesota county. There was only one female and one ethnic minority offender. The young people ranged in age from 15 to 24.

There were several different reasons the participants chose to meet with their victims, notably achieving a sense of closure, making amends to the victims, and in a few

cases appearing more responsible in the eyes of the court (Abrams et al., 2006). Two participants felt they were pressured into the meetings. Four of the seven offenders' parents were involved in the mediation sessions, and all were optimistic that the program would benefit their child. The parents also reported they felt that the sessions might have been more meaningful. In fact, the parents saw less merit in the way the sessions were conducted than their children who were initially apprehensive or nervous due to the unusual nature of the experience—described as *surreal* by one young offender—but felt generally positive about the meeting.

Although the offenders typically felt a sense of relief in discussing their crime with the victim, they also reported a pervasive sense of shame and remorse (Abrams et al., 2006). Only one participant did not mention feeling guilt or shame in sharing with the victim. Some of the parents seemed to have distanced themselves emotionally, in a few cases because they had already been through several meetings or court proceedings. None of the sessions produced formal restitution agreements. In general, however, the young offenders felt the outcome was fair. All but the youngest participant, who seemed confused and uncertain about the process, were highly satisfied with the mediation process. Younger and older adolescents and young adults may experience the justice process differently as a reflection of different stages of moral development (Newbury, 2008). Most participants reported being happy because they felt the victim saw them in a different and more human light as a result of the meeting (Abrams et al., 2009). In a related manner, the experience was humanizing to the offenders who gained a new and different perspective on how their actions affected others. For five of the participants, addictions (drugs, alcohol, gambling) played a central role in the offense. The crime

represented a low point and victim-offender mediation was an important step on the path upward, or as one participant described the meeting, “an awakening” (p. 252).

### **Mediators’ Roles and Skills**

The perceptions of victims and offenders as to whether they perceived mediation as fair can be dependent upon the attitudes and skills of the mediator. Choi and Gilbert (2010) conducted a qualitative exploration of how participants in victim-offender mediation viewed the mediators’ roles and skills. The participants had all been part of a single program and the sample of 37 participants included adult crime victims, juvenile offenders in their families, mediators, and representatives from referring agencies. The study focused on three cases labeled the *Department Store Case*, the *Mailbox Baseball Case*, the *Car Case*, and the *Involuntary Manslaughter Case*. As the titles imply, the cases varied considerably in the nature and severity of the offenses. The Mailbox Baseball Case and the Car Case both involved multiple teenage offenders. The themes that arose from the interviews in describing the actions and skills of the mediators were: *facilitating conversation, keeping things under control, maintaining neutrality, demonstrating respect, creating a victim-sensitive environment, and collaborating with other mediators*. In spite of the diversity of the cases these actions on the part of the mediators were common across cases and elicited positive comments from the victims and the young offenders and their parents.

The mediators were described more favorably the less intrusive they were (Choi & Gilbert, 2010). They were generally lauded for playing a “supportive ‘background’ role” marked by a nondirective, low profile, and facilitative style (p. 223). By remaining in the background and allowing the participants to talk and express their opinions and

feelings, they conveyed their respect for the participants. At the same time, there were also some negative comments about the “unprofessionalism” of the mediators, primarily reflecting the perception of a lack of sensitivity to the victims. Interestingly, some of the offenders’ parents felt the mediators were not sufficiently sympathetic toward their child but at the same time were too “easy” on them. Choi and Gilbert (2010) attributed these complaints to bureaucratic pressures to process the cases as fast as possible resulting in insufficient preparation with the participants and not enough time to talk. They caution that this “fast food” approach to mediation could compromise the restorative justice process.

Choi and Gilbert (2010) cited time pressures and excessive emphasis on the outcome typically a restitution agreement as two factors with potentially negative effects on the process of victim-offender mediation. They also stressed the importance of having organizational policies that support the employees of victim-offender mediation programs; for example, by providing ongoing opportunities for education and training, allocating time for communication between mediators, and ensuring that the mediators have manageable workloads. At the most basic level, they recommend manuals that describe the principles of restorative justice. Being attuned to the emotions of the participants is complex and challenging endeavor, especially because the victim and the offender are not always able to articulate their thoughts and concerns. The paramount concern, which the researchers consider vital, is that the mediators are able to “elicit the unique perspectives of each individual” (Choi & Gilbert, 2010, p. 224).

## Perceptions of Restorative Justice

In the United States (National Juvenile Justice Network, 2008) and Canada (Varma, 2006), there is generally more support for rehabilitative than retributive approaches for youth who commit delinquent offenses. Even during the 1990s when the retributive paradigm predominated, more than two-thirds of conservative leaning respondents in a public opinion poll favored rehabilitation for young offenders (National Juvenile Justice Network, 2008). Nonetheless, retributive justice is central to North American models of juvenile justice. A Hong Kong survey found enthusiastic support for the integration of restorative justice into community programs for young offenders (Lee, 2009). While there appears to be no similar survey conducted in the United States, Gromet and Darley (2006) explored the acceptability of restorative justice practices in research with university students. A particular focus of the study was whether restorative justice would be viewed as a suitable strategy for dealing with offenders who commit serious crimes.

The first experimental study involved 57 psychology students who were presented with online descriptions of a pure restorative justice model (victim-offender mediation) and a partial or mixed restorative justice protocol labeled *restorative justice mediation* (Gromet & Daley, 2006). They were then presented with nine court case scenarios and asked to decide which of the two models they deemed more appropriate. The findings confirmed the researchers' expectations that the participants would refer most of the less serious offenses to the pure restorative justice procedure. Conversely, most participants opted to send most of the serious cases to the mixed procedure while the group was divided on which strategy was more appropriate for crimes in the mid-serious range.



The characteristics of the offense and the offender also influenced the choice of the pure or the mixed restorative justice model (Gromet & Daley, 2006). The decisions were influenced by perceptions of how violence-prone the offender appeared, the probability of reoffending, and the prospect for rehabilitation. Also in an experimental study, Varma (2006) found that the participants were more inclined to prefer a fine or community service to incarceration the more information they were given about a hypothetical youthful offender (who had stolen a car and gotten in a minor accident where no one was hurt). With the exception of the most “adult-like” description (in which the young man was portrayed as very responsible), simply the fact of being given information about the young offender was more important than the qualitative description. However, even without information, more than three-quarters of the participants (78.6%) preferred the fine or community service to incarceration.

The findings of Gromet and Daley (2006) suggested that people hold positive attitudes for restorative justice as an option for reducing a prison sentence for someone they feel will successfully go through a restorative justice conference. Building on the first study, the participants in the second study were given reports that while some restorative justice conferences were successful, others failed because the victim and the offender were unable to reach an agreement (*no-fault conference outcome*) or because the offender did not invest the needed effort (*offender-fault conference outcome*). The participants were presented with the same offender-related questions as in the first study after learning the outcome of the conference.

A similar pattern to the first study emerged in that the less serious offenses were considered appropriate for the pure restorative justice protocol while the more serious the

crimes were the more likely they were seen as more suitable for the mixed model (Gromet & Daley, 2006). Interestingly, the participants were more inclined to give harsher sentences to offenders who did not successfully complete a conference regardless of the reason. One implication is that they were more inclined to blame the offender for not reaching an agreement with the victim even when it was not portrayed as the offender's fault. The offenders who had unsuccessful conferences were viewed as less likely to be rehabilitated than those with successful conferences but more likely to be rehabilitated than those they opted to send to traditional court proceedings. The overarching finding was that while there was support for restorative justice, especially for individuals who committed minor offenses, the participants also desired the option for retributive justice procedures.

The concept of *shared* identity is derived from social identity theory and has recently been introduced into the study of attitudes toward restorative justice (Gromet & Daley, 2009). Gromet and Daley noted that shared identity has emerged as an important concept for understanding people's preferences for restorative or retributive justice, along with crime severity, which was the focus of their own research (Gromet & Daley, 2006). Okimoto, Wenzel, and Feather (2009) explored the role of shared identity in their experimental study involving 217 Australian undergraduate students. The participants were presented with six different case scenarios in which they were asked to assume the role of the victim. In each case the victim experienced a material loss. The scenarios differed on the amount and type of loss, the relationship of the victim to the offender, and several other aspects. All these variations would be natural given the nature of each scenario. The scenarios were manipulated as to whether a resolution was imposed or was

mutually reached through a restorative process. Punishment was also manipulated by varying the degree of punitive actions taken.

The decisions were generally viewed as fairer when they mutually were reached by the victim and the offender, than when they were imposed (Okimoto et al., 2009). At the same time, the response was also perceived as fairer when it included punitive actions than when there was no punishment. Shared identity was an important influence on perceptions of fairness. Mutual consensus was viewed as fairer when the victim was thought to share a strong sense of identity with the offender. Mutual agreement was also perceived as fairer when there were deep feelings of moral loss. On the other hand, feelings of moral outrage generated strong feelings that punishment was fair. In fact, severe punishment was only considered excessive in the absence of strong moral outrage. The interaction of shared identity and emotions provided compelling support for the idea that restorative justice is grounded in social relationships. The findings also confirmed, consistent with Gromet and Daley (2006), that although people accept restorative justice and tend to prefer it for less serious offenses, retributive measures are also important for eliciting a sense that the outcome is fair.

### **Long-term Impact of Restorative Justice**

The impact of restorative justice in terms of long-term benefits to both the offenders and victims is largely unexamined through research (Jeong et al., 2012). Bergseth and Bouffard (2007) conducted one of the few studies examining the long-term impact of restorative juvenile justice programs. The site of the program was a largely rural Midwestern county with a restorative justice program that is independent from the local juvenile court but received federal funding that is matched by funds from a

collaboration of social service agencies. There is one full-time staff member with ample training and experience in mediation and facilitation but most of the work is carried out by program volunteers. The young offenders are referred by various agencies and then screened to assess their suitability for the program. Bergseth and Bouffard (2007) described the program as a “more restorative” model given that participation is voluntary for both offenders and victims, the emphasis is on direct communication between parties, the participants are prepared in advance, the victim’s decisions are respected throughout the process, and the focus on mutual agreement as the outcome.

The sample comprised 164 youth referred for restorative justice during the years 2000 to 2003 (Bergseth & Bouffard, 2007). A comparison group was derived from youth referred for traditional court proceedings for similar offenses during the same period. The study period covered 4 years, with the data analyzed at five points. Despite the researchers’ efforts to match the two groups, the comparison group included more youths who had prior and/or more serious offenses. Yet even after controlling for these differences, the restorative justice participants had more positive outcomes in terms of prevalence and number of subsequent contacts with the juvenile justice system, seriousness of later offenses, and time to re-offending. Residing in the county’s one city was associated with less favorable outcomes, consistent with other findings on the impact of urban residence on juvenile crime (Katade et al., 2012).

Overall, participation in the restorative justice program was linked with more positive outcomes, with the benefits enduring for as long as 3 years (Bergseth & Bouffard, 2007). The researchers noted that 25% of the youths included in the analysis did not complete the restorative justice program. However, all of them engaged in an in-

person discussion with the mediator, thus suggesting that this dialogue by itself might have a positive impact. From a different perspective, the results might have been even more impressive if the study only included youths who completed the program. At the time of the study there were plans underway to examine the effects of the restorative justice program on different groups of young offenders. Perhaps due to the relative homogeneity of the area, age and gender but not race or ethnicity were mentioned.

With a longer period of reference of 12 years, Jeong et al. (2012) also examined the long-term benefits of restorative justice in terms of family group conferencing. The researchers employed an experimental design with a sample of 782 cases. The analysis involved two-process procedure of logistical regression and Cox proportional Hazards regression. The results of the analysis showed that within a period of 12 years, family group conferencing did not produce any significant difference in terms of recidivism compared to the sample without exposure to family group conferencing.

### **Summary**

Although restorative justice has been practiced in the United States for more than 30 years, it is far less prevalent than in the Asia Pacific region where it has its origins in New Zealand Maori culture (Maxwell & Hayes, 2006). BARJ, which has been implemented in many U.S. states, is based on the principles of restorative justice. “The aim of restorative justice is to repair the harm done by the crime by bringing together the people most affected by the offence to determine how to deal with the offence; dialogue, reparation, and accountability are critical components” (Bradshaw & Roseborough, 2005, p.15). Even though restorative justice takes into consideration the needs of the victims and the offenders, justice remains the main feature of restorative justice.

Practically and conceptually, BARJ is a partial or mixed model of restorative justice. While theorists such as Braithwaite (2006) favor a pure model of restorative justice, a mixed model that synthesizes aspects of restorative and retributive justice is more acceptable (Gromet & Daley, 2006, 2009; Okimoto et al., 2009). Restorative justice principles can be integrated with community justice to enhance informal social control and social capital and subsequently reduce crime in disadvantaged neighborhoods (Ohmer et al., 2010).

Practices based on rehabilitation rather than retribution are consistently preferred by the public for dealing with juvenile offenders. During the 1990s, rehabilitation and restorative justice were both overshadowed by a powerful emphasis on punitive practices for combating high rates of juvenile crime. The focus, however, on punitive sanctions in both the juvenile justice system and the educational system was not only ineffective for decreasing recidivism but it also reinforced racial and ethnic disparities in both systems (Hartney & Silva, 2007; Nicholson-Crotty et al., 2009). Since the late 1990s there has been a noticeable trend away from retributive practices for youth offenders and an upsurge of interest in restorative justice. At the present time, there is a drive for the implementation of evidence-based practices in juvenile justice and there is a growing body of evidence supporting restorative justice practices, notably victim-offender mediation and conferencing (Bergseth & Bouffard, 2007; Bradshaw & Roseborough, 2005). With increasing numbers of advocates and calls for major reforms of the juvenile justice system, it seems probable that the principles of restorative justice will become an integral part of community programs for youth offenders.

## Chapter 3: Research Method

### **Introduction**

The purpose of this qualitative case study was to describe the utility of restorative justice programming in reducing recidivism of African American males ages 12 to 17 years old in Baltimore City urban community. Incorporated in Chapter 3 are explanations of the research design and rationale associated with the study of the restorative justice phenomenon. The chapter includes discussion of the role of the researcher and the methodology, including a justification of case study selection. It includes various data collection instrumentation strategies. It also includes discussion of the data analysis approach, in addition to emphasizing strategies to maintain trustworthiness of study both internally and externally.

### **Research Design and Rationale**

Qualitative research methods are oftentimes driven by the capability of the researcher to study the phenomena of interest in its natural environment (Creswell, 2009; Miles & Huberman, 1994). Generally, this opportunity is realized through rigorous contact with individuals or organizations where the researcher gains real-world experiences reflecting the phenomena being studied (Miles & Huberman, 1994, pp. 5-6). Maxwell (2005) supported this view by asserting that qualitative and quantitative research in their strengths is used to answer different types of questions for different purposes. For example, Maxwell stated, “The strengths of qualitative research derive primarily from its inductive approach, its focus on specific situations or people, and its emphasis on words rather than numbers” (p. 22). Creswell (2009) illuminated the qualitative approach as an emergent design whereby the researcher does not subscribe to

a one-size-fits-all research but rather chooses processes that potentially change overtime. As a result, the researcher is better able to facilitate the objective of qualitative research, which is to garner rich information regarding the phenomenon of interest addressing the research (pp. 175-176).

### **Role of the Researcher**

Several research topics were considered before selecting to study the utility of restorative justice programs in reducing recidivism of African American males ages 12 to 17 in urban communities. I was the principal research instrument, collecting and analyzing various data describing the effects restorative justice programming has on the community. Creswell (2009) noted that qualitative research is interpretive, and researchers' lived experiences, as well as their training, often influence their research approach. My experiences working in the juvenile justice system have given me a new perspective regarding the justice system in the United States. This illuminates the fact that I gravitated (Creswell, 2009) toward the qualitative approach thus allowing me an opportunity to be innovative in my interviewing and observation strategies. The role of the researcher was to conduct the interviews. I provided the respondents the free will to answer the interview questions with whatever they want to say. The researcher should not show any bias during data collection and analysis. I ensured that any possible biases in this study will not be present. All information presented by the respondents was completely and accurately written down by pen and paper and accurately recorded through digital recorder. Member checking was conducted to reduce bias in qualitative data gathering and analysis. Member checking is an evaluation given to the voluntary participant at the end of the interview asking if their observation of the researcher had an



element of bias in the questioning during the interview (Rajendran, 2009, p. 6). In addition, Patton (2002) identified a caveat associated with qualitative investigation is its propensity to garner findings based on predisposed biases of the researcher, whether conscious or unconscious. Patton (2002) proposed that in the outset of study the researcher be completely transparent regarding his or her biases (p. 553). With this in mind, to manage my biases I explained and identified all perceived biases in the outset of the study design (Maxwell, 2005, p. 108). Equally important, I did not have personal connections or relationships with participants more than what was required for completion of the study.

### **Methodology**

Encompassed in Chapter 3 are explanations of the research method facilitating the design strategy related to the utility of restorative justice programming. A case study design was selected in this study to examine the utility of restorative justice programs for African American males aged 12 to 17 years old in urban communities. Specifically, this chapter addresses the selection of case study as the method of choice. Further, the chapter includes discussion of the instrumentation process, in addition to procedures for recruitment, participation, and data collection. Chapter 3 concludes with techniques utilized during the data analysis process.

#### **Case Study Selection**

The case study was accomplished by studying a single restorative justice program at a designated site. The sample population that was used to facilitate the case study included African American males ages 12 to 17 in a restorative justice program in Baltimore's urban community. The case study method offers significant potential for

embracing the researcher's capability to study the social phenomenon associated with restorative justice programs. It provides the researcher the opportunity to study the effects of restorative justice programming within a bounded system. Creswell (2007) noted that the bounded system is an effective tool because it provides researchers the opportunity to examine one or more bounded cases over periods. Furthermore, the rationale for using a case study is that an intrinsic case study design can be utilized to focus on one unique case/program of interest for evaluation (Creswell, 2007, pp. 73-74). Miles and Huberman (1994) supported this view by stating that "Much qualitative research examines a single 'case,' some phenomenon embedded in a single social setting" (p. 27). The use of case studies was deemed appropriate for this study because the case study can be used to derive themes from interviews. This method is considered one of the more open-ended methods of data collection, and will allow the participants to provide data for the study in their own words. This method will also allow the researcher to use the information collected through the interviews to expand on the themes generated through content analysis. The use of case studies was appropriate for the purpose of this study, which was to explore a particular outcome and determine how specific actions have led to these outcomes (Leedy & Ormond, 2005).

From a historical perspective case studies have been a time-honored research method for multiple disciplines (Creswell, 2007, p. 73). The qualitative case study method appears to be the most logical approach for evaluating juvenile restorative justice programs as implemented for African American males aged 12 to 17-years-old. Other qualitative designs considered for this study, but not selected, included meta-analysis narrative research, ethnography, phenomenology, and grounded theory. Meta-analysis is

deeply rooted in garnering concrete information from myriad studies throughout the scientific community regarding the researcher's phenomenon of interest (Rudestam & Newton, 2007, p. 56). The use of narrative inquiry was not in line with the purposes and data sources for this study. This study made use of first-hand information provided by participants through face-to-face interviews, and did not use the conventional sources for narrative inquiry, such as field notes, letters, stories, and journals (Clandinin & Connelly, 2006). Ethnography was not possible as a method of research, because time and cost constraints prevented me from dedicating the resources needed to immerse myself fully into the culture of the group that is the focus of this study. The use of phenomenology was also deemed inappropriate for this study, because the purpose of a phenomenological study is not in line with the specific purpose of this study. Grounded theory was also eliminated as a method of research because this study does not seek to provide alternate explanations. The vigorous approach of grounded theory garners rich-information facilitated inductively from fieldwork whereby theory emerges from real-world experiences (Patton, 2002, p. 11). As explained above, the specified research methods were deemed inappropriate, considering the resources available and the purpose of the study.

### **Instrumentation**

The importance of using appropriate instrumentation strategies for gathering and collecting data is paramount for qualitative researchers. Creswell (2007, 2009) addressed for the collection of data in qualitative research study. He proposed that the researcher record data using four types of information gathering strategies, including observation, interviews, documents, and audiovisual material. Further, he illuminated the utility of

“Conducting a semistructured interview, audiotape the interview, and transcribe the interview” (p.130). While utilizing the observation approach he suggested that the researcher use a protocol to facilitate the interview process. Creswell (2007) also recommended that keeping a journal throughout the research study is paramount. With this in mind, the examination was facilitated through rigorous data collection protocol strategies using triangulation of various methods of information gathering. The triangulation is data triangulation, which involves using different *sources* of information in order to increase the validity of a study (Thurmond, 2001). I used different data sources including interviews, observation, audiovisual material, and significant documents and reports pertaining to the case being studied.

The face-to-face interviews were structured with the use of an interview guide composed of semistructured questions that will allow the participants to freely describe and explain their feelings and experiences with regard to the issue being studied (Horrocks & King, 2010). The use of open-ended questions allows the researcher to provide a deeper understanding of the issue, because the data collected from the participants based on their experiences is multi-faceted and multi-layered (Symon, Buehring, Johnson, & Casel, 2004; Groenewald, 2004).

The qualitative case study method appears to be the most logical approach for evaluating juvenile restorative justice programs for their effectiveness in urban communities for African American males 12 to 17. Compared to quantitative research, qualitative research focuses on the how and the why of the issue being studied (Gay, Mills, & Airasian, 2009). This examination was facilitated through rigorous data collection strategies using data triangulation of various methods of information gathering,

including observation, interviews, audiovisual material, and significant documents and reports pertaining to the case being studied. The case study was accomplished by studying participants from a single program at a preferred designated site. Equally important, the study incorporated the intrinsic case study design, which focuses on one unique case/program of interest for evaluation (Creswell, 2007). Miles and Huberman (1994) supported this view by stating that “Much qualitative research examines a single ‘case,’ some phenomenon embedded in a single social setting” (p. 27).

Describing to content validity is equally important. Maxwell (2005) pointed out that a qualitative proposal should embrace the notion of ruling out reasonable threats to the researcher's analysis. Content validity requires that the instruments used to facilitate the study accurately measure the characteristics of the phenomena in question (Fink, 2008; Hagen, 2005). Fink (2008) recommended a trick to establishing a measure with content validity is to be knowledgeable regarding the phenomena of interest (p. 195). With that in mind, I continued to meticulously examine scholarly literature regarding the restorative justice phenomena throughout the duration of the study. Further, I used content analysis of data garnered to understand the restorative justice phenomenon because the technique has been used by researchers and governments alike in a similar fashion. Qualitative data was analyzed using content analysis to derive themes and patterns within the data (Butin, 2010). Generally, content analysis refers to analytically synthesizing voluminous qualitative data, thus reducing it to emerging themes (Patton, 2002, p. 453).

### **Procedures for Recruitment, Participation, and Data Collection**

I acted as the primary data collecting instrument for this study. Data was collected at a designated restorative justice program in a Baltimore City region urban community where substantial data was garnered to facilitate this qualitative case study. Creswell (2007, 2009) recommended a technique for recording data, whereby the qualitative researcher conducts semistructured interviews, which are audio-taped and transcribed. Face-to-face interviews were conducted to facilitate data collection. Janesick (2011) proposed that while conducting qualitative interviews researchers facilitate a peaceful environment. Further, she identified that exhibiting authentic verbal and body language during the interview is essential in facilitating responses from the interview. In addition, she proposed that the interviewer provide the interviewee an opportunity to add further discourse to the interview once the interview is completed (Janesick, 2011, p. 243).

Observation, a major instrument used in qualitative research, can be recorded (Janesick, 2011) by using a reflective journal as a data set in the dissertation process. Janesick (2011) pointed out that a reflective journal gives rise to innovative questions regarding the phenomena of interest, in addition to the role that society plays in general. Janesick also identified that “The clarity of writing down one’s thoughts will allow for stepping into one’s inner mind and reaching further into interpretations of behaviors, beliefs, and words we write” (p. 159). Creswell (2007) supported this view by asserting that an observational protocol for qualitative research entails recording descriptive and reflective field notes regarding the phenomenon (pp. 133-135). In a similar fashion, Patton (2002) identified the importance of recording descriptive and reflective field notes as they take place, thus assuring accuracy during analysis (pp. 302-303).

I realized the importance of creating a comfortable and relaxed atmosphere where the participants would feel free to give their opinions and ideas regarding the subject being studied. Therefore, all interviews were conducted in a private area, at a time and place that was convenient for both researcher and interviewee. All interviews were recorded on tape and transcribed and is estimated to take 45 minutes to conduct. While the interviews were ongoing, I recorded my observations regarding the subject and the participants. After the interview, all audio tapes were transcribed, and the data generated was coded to derive the emerging themes on which the conclusions of the study were based.

### **Data Analysis Plan**

The intent of this research was to garner data regarding the utility of restorative justice for African American males aged 12 to 17 in urban communities in reducing recidivism. According to Creswell (2007), all research is facilitated by establishing a problem, then studying literature on the phenomenon of interest by collecting data to analyze and writing reports (pp. 41-42). The case study approach was utilized as a guide to facilitate content analysis of raw data and interviews during the research process. Data analysis entails a process whereby researchers embrace several components to examine data, which include meticulous preparation, comprehension, and developing an interpretation based on rich information from participants and data garnered throughout the study (Creswell, 2009, p. 184). According to Maxwell (2005), “the appropriate answer to almost any question about the use of qualitative research methods is it “depends” (p. 79). Maxwell (2005) and Patton (2002) pointed out that qualitative research depends on

the meticulous data analysis of voluminous raw data. Therefore, data analysis was a continuous process from the outset of the research activity.

I was the primary data collection instrument. According to Creswell (2007), the notion to reduce data into themes while coding and reducing codes to represent categories is consistent with qualitative data analysis. With this in mind, the data analysis plan encompassed a continuous strategy utilizing a triangulation (Creswell, 2007) of measures to facilitate effective analysis. The data collected encompassed audio-recorded interviews followed by verbatim transcription, field notes, and detailed journal. This is in addition to advance observation strategies (Janesick, 2011), which include visiting the location during the study numerous times to be able to describe the phenomena reflectively. Lastly, content analysis was employed to determine the emergent themes from the data collected from the interviewees. This process was undertaken to identify the characteristics, behaviors, thoughts, perceptions, or experiences, which then became the foundations of the analysis (Hsieh & Shannon, 2005)

### **Coding**

Essentially, qualitative data analysis is prudently identifying common themes, patterns, and categories, in addition to the individual perceptions of people interviewed (Patton, 2002). With this in mind, I inductively identified all statements that are associated with the fundamental theme throughout the study. Inductive reasoning will be conducted by focusing on specific observations and measures, formulate some tentative hypotheses that I can explore, and finally end up developing some general conclusions or theories (Trochim, & Donnelly, 2008). Inductive reasoning was conducted by moving from specific observations to broader generalizations and theories through a focus on



determining what things meant, why events occurred as well as what happened. In addition, I separated essential data from nonessential data, thus compiling data into segments grouped into categories that reveal genuine description of the phenomenon of interest. Miles and Huberman (1994) pointed out the utility of reflective and marginal remark coding, in addition to pattern coding as a method of early analysis. Coding is the process of analyzing the data that moves data from diffuse and messy text to organized ideas about what is going on (Portney & Watkins, 2009). Open coding is accomplished by segregating the interview data into words, phrases, sentences, or paragraphs that will emphasize the functional relation between parts and the whole of the entire responses from the interview. The benefit of coding in this research is that the reader will be able to easily distinguish each topic, and will be able to read first-hand accounts (quotes, stories) from the participants that illustrate their experience with each topic. NVivo8 was used during the analysis process to code text or other elements of the data sources and to manipulate data and graphically displaying codes. Both traditional and software-assisted strategies have the potential to enhance the reliability, quality, and credibility of the research findings, and a final decision as to how coding was accomplished was made based on the volume of data that was collected.

### **Issues of Trustworthiness**

#### **Reliability**

One of the major concerns of the study will be to maintain its reliability and trustworthiness throughout the research. Fink (2008) suggested that “A reliable measure is reproducible and precise: Each time it is used it produces the same value” (p. 188). Facilitating reliability in qualitative research can be demanding because of the underlying

concerns associated with its consistency (Miles & Huberman, 1994). They also identified several relevant strategies in describing the reliability, dependability, and audibility of qualitative research. They suggested that a researcher: (a) use clear research questions, (b) researcher's role be explicitly described, (c) findings be meaningful paralleling data sources, (d) reliability is connected to theory, (e) data is broadly collected, (f) perform data checks, and (g) use peer review (Miles & Huberman, 1994, p. 278). To ensure consistent internal reliability, I used quality data checks using peer review. Data will be collected from multiple sources, and my role as the researcher was explicitly described to the interview respondents.

### **Validity**

The objective of qualitative research is to present a perspective of the issues and offer reports that reveal the researcher's capacity to describe the phenomena of interest. Miles and Huberman (1994) suggested that internal validity, credibility, and authenticity is realized when (a) research appears reasonably vicarious to readers (b) triangulation of data sources produce comparable conclusions, (c) data is connected to emerging theory, and (d) "Were the conclusions considered to be accurate by original informant?" (p. 279). On the other hand, they suggested that external validity, transferability, and fittingness is realized when researchers (a) use information-rich thick description for readers, (b) findings are consistent with experiences of participants, (c) the study supports further testing, and (d) the study is easily replicated (p. 279)

Shank (2006) indicated that reliability is accuracy in measurement. Shank (2006) and Rajendran (2009) also identified the following key values in the researcher: honesty in presenting the findings, conscientiousness when it comes to avoiding researcher bias

and openness and clarify when presenting the case study results. In order to ensure that a study espouses all these values, Shank recommended the rotation of sources to synchronize the researcher's insights.

Creswell (2007, 2009) identified several qualitative validity strategies that encompass peer review and debriefing that keep the researcher honest. Creswell also identified that researchers identify their biases in the outset of the study, in addition to member checking and external audits to ensure validity. Further Creswell (2007, 2009), Miles and Huberman (1994), and Patton (2002) identified the utility of data triangulation strategies in providing validity in qualitative research. Creswell (2007) recommended that qualitative researchers embrace a minimum of two of these strategies while conducting research. Most importantly, however, Creswell noted that triangulation of data sources, writing detailed thick descriptions, and member checking are reasonable as well as time and cost-effective to facilitate. With this in mind, to assure the consistency of the internal and external validity of the study I used: (a) triangulation strategies, (b) peer review and debriefing, (c) research bias clarifying, (d) member checking, (e) writing thick and descriptive, and (f) using external audits.

### **Summary**

Chapter 3 illuminated the research design and the rationale for its use, in addition to the role of the researcher in facilitating this study. Also included in Chapter 3 was a discussion on the methodology to be employed in this qualitative study, which will follow a case study design. Specifically, it illuminated the instrumentation, procedures for data collection and data analysis, as well as the coding procedure. Finally, the chapter

featured discussion of issues of trustworthiness with the reliability and validity of the study. The following chapter presents a representation of the results for the study.

## Chapter 4: Data Collection and Analysis

### **Introduction**

This case study was conducted in order to understand and analyze the utility of restorative justice programs in reducing recidivism for African American males aged 12 to 17 years old in Baltimore City's urban community. This section presented the data garnered from seven extensive face-to-face interviews using semistructured and open-ended questions. A qualitative data analysis was also employed to survey the literature of the study and the process of thematization was highlighted in order to see the emerging knowledge, perceptions, and experiences of the participants on the effectiveness restorative justice programs. Specifically, the qualitative data analysis employed was a content analysis which is best used when searching for meanings or themes from large amounts of texts. Seven interviews were done for valid and reliable outcomes to emerge wherein such will aid in understanding better the utilization and general effects of the restorative justice programs on the African American males, in this case aged 12 to 17-years-old. All data collected were focused to address the following research questions earlier formed in the study:

Central Research Question (RQ1). How do restorative justice programs for African-American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system?

Subquestion 1: How do evidenced-based restorative justice programs for African American males 12 to 17 in an urban environment affect the involvement of youth in the juvenile justice system?

Subquestion 2: How do you describe an effective/successful restorative justice program?

### **The Participants**

The participants of the study were seven experts on the restorative justice programs who have years of experiences on the issue at hand. These participants also had to have the knowledge on the state of the restorative justice programs of African American males aged 12 to 17-years-old in Baltimore City's urban community. They were all interviewed face-to-face using a semistructured interview with open-ended questions. Overall, there were seven out of 10 facilitators at the CCC who participated in this study. All of these participants were from different economic statuses, with varied educational and work experiences. In addition, the participant's ages ranged from 35 to 57-years-old, with the average of 44.57, and the years of experience from 1-18 years, with the average of 8.66.

### **Data Analysis**

For the data analysis of this case study, I employed a qualitative content analysis. Bryman (2001) explained this approach as one that "facilitates contextual meaning in text through the development of emerging themes" (p. 36) as gathered from large textual descriptions or data (Priest, Roberts, & Woods, 2002). Patton (2002) simplified the definition of the content analysis approach as "any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings" (p. 453). I then employed Miles and Huberman's (1994) qualitative content analysis, which is a three step process or tagged as the "three flows of activity" (Hutchins, 2008, p. 79). It must also be noted that I made use of computer

software to encode the submissions for more accurate interpretations as suggested by Woods and Roberts that content analysis is an extensively used method of deriving meanings from a certain text, thus computer software packages must be employed as well (Priest et al., 2002). I used the model of Miles and Huberman's (1994) "three flows of activity" which consist of the following steps: (a) "data reduction or the process of selecting, simplifying, abstracting, and transforming the data;" (b) "displaying data"; and (c) "drawing conclusions and verification" (p. 11). Priest et al. (2002) explained the steps of Miles and Huberman further and more comprehensively therefore the researcher patterned his case study into the following:

1. The first level-coding [also known as data reduction] was a line-by-line analysis which highlighted chunks of varying size, for example: phrases, sentences, or whole sections (Miles & Huberman, 1994) were pasted to particular analytic categories. Thus several paragraphs of text were reduced through content coding.
2. The second-level coding was the more detailed indexing. Concepts were then further explored and indexed according to content in a process known as "nesting"... Facilitated the development of visual index trees and their subsequent concept formation comprising sub-categories or branch nodes for the whole project.
3. The last process was the continual checking and questioning of emerging themes (Marshall & Rossman, 1989). In order to substantiate derived themes, a reverse process ensured to delve into distinct data sets in order to derive

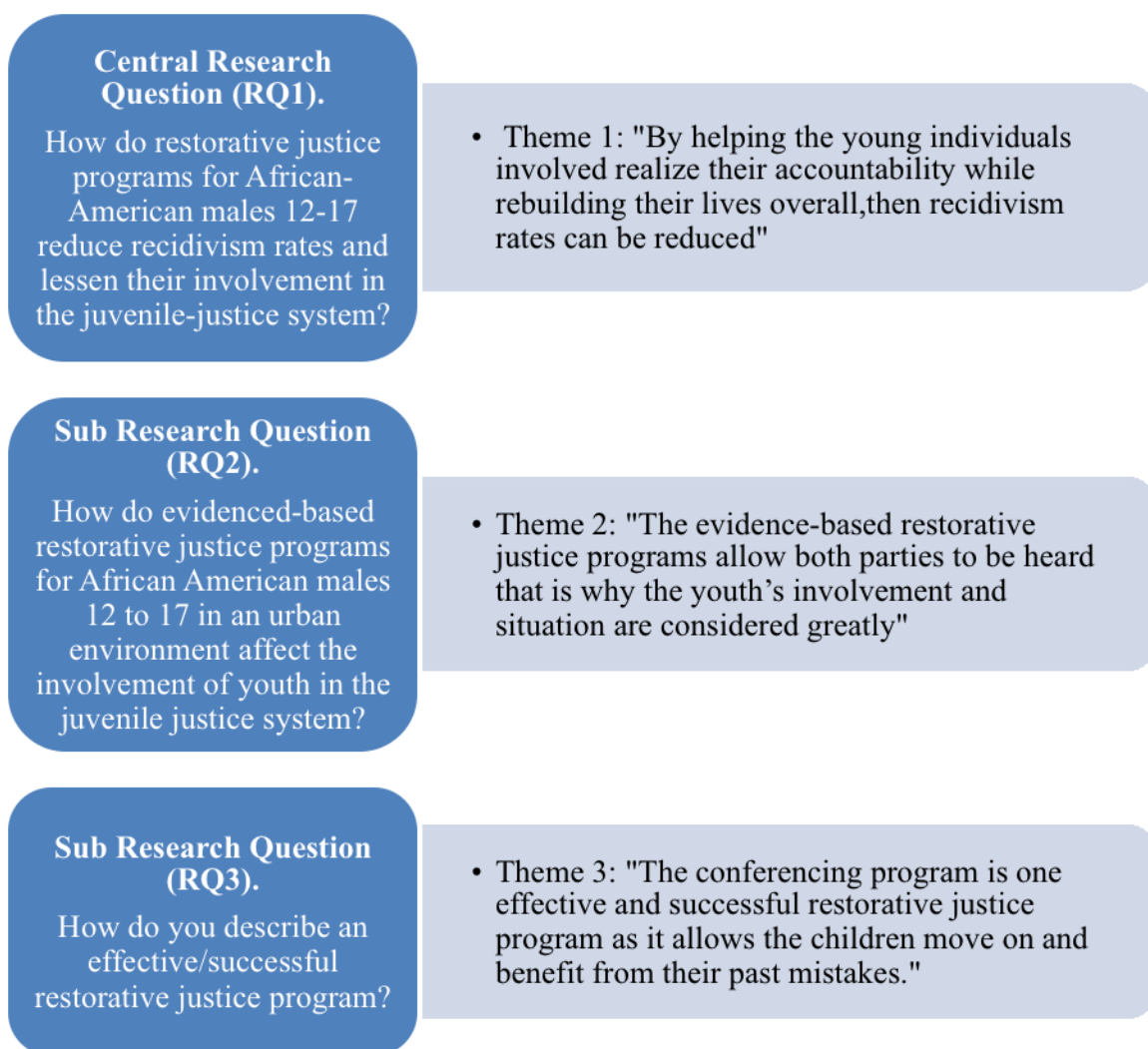
sources of supportive evidence and ascertain quotations from transcript. (p. 37)

The three steps elaborated above were modified from Priest et al.'s (2002) journal entitled "Qualitative approaches: An overview of three different approaches to the interpretation of qualitative data (Part 1: Theoretical Issues)" in order to be employed as the method for this particular case study (See Appendices A and B for an example of the processes).

### **Presentation of Findings**

The presentation of findings section discusses a wide collection of knowledge, perceptions, and experiences of the participants of the study with great involvement on restorative justice programs especially in reducing recidivism for African American males ages 12 to 17 in Baltimore City's urban community. The case study established three themes from the responses of the participants which can all be considered as main sources of data, as they were directly gathered and interpreted from those who have experienced the issue firsthand. These themes are all central to the main research question and sub research questions presented in the earlier parts of the paper. Figure 1 represents the research questions and their developed themes according to the responses of the participants. I was able to establish the themes per research question by acquiring the ones with the highest responses from the seven participants—the ones with the highest or most common responses are tagged as themes and the ones that follow them are tagged as invariant constituents. Overall, there are three main themes developed as per the three research questions.





*Figure 1.* The research questions and the developed themes.

For the first and central theme which is how the restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system, it emerged from the responses that: (a) "By helping the young individuals involved realize their accountability while rebuilding their lives overall, then recidivism rates can be reduced." For the second and subtheme which is how the evidenced-based restorative justice programs for African American males 12 to 17 in an urban environment affect the involvement of youth in the juvenile justice system, it

emerged from the responses that: (b) "The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly." For the third and last subtheme, which are the descriptions of an effective/successful restorative justice program, it emerged from the responses that: (c) "The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes." Also included in this section are the original and verbatim texts from the interviews to support the clustered themes gathered from the responses of the seven participants.

### **Theme 1**

The first thematic label that surfaced from the first and central research question of the case study, which is how the restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system, was that "By helping the young individuals involved realize their accountability while rebuilding their lives overall, then the recidivism rates can be reduced." It was deduced from only two invariant constituents as seen in Table 1.

Table 1

*Restorative Justice Rates and Reduced Recidivism*

Invariant Constituents	# of occurrences	% of occurrences
By helping the young individuals involved realize their accountability while rebuilding their lives overall, then the recidivism rates can be reduced	5	71%
By allowing the young individuals involved to speak and be heard without taking away their rights immediately, then the recidivism rates can be reduced	2	29%

Overall, the theme: "By helping the young individuals involved realize their accountability while rebuilding their lives overall," which I considered to be one of the most vital findings of the study together with the three other main themes, emerged from five, or 71% (Table 1) out of seven of the interviewed respondents.

Participant # 2 emphasized the significance of instilling the values of accountability and responsibility to the youth and as a result can reduce the recidivism rates and involvement in the juvenile justice system:

So the larger pictures of letting young people know that they deserve the opportunity to be held accountable. A lot of times, people just turn their back or turn the other way and not – they don't want to see what's going' on, or we throw kids away and just say, "We'll just lock you up," and the problem is taken care of, but with restorative justice, we let them know that they're worthy of and that they deserve the opportunity to step up and be held accountable for what they've done. And in terms of the benefits we explain to participants, when we're preparing for

the conference and making all of our phone calls, we talk about the fact that they get a chance to tell their side 'cause a lot of times what comes in the report is not exactly what happened. So they get to tell their side of the story, how they've been affected and hear how other people have been affected, and then they are part of coming up with the agreement of how to resolve things so it doesn't happen again. So I think those are definitely benefits that aren't offered in the traditional system.

Participant # 4 added that the idea of "fairness" also allows the youth to move on and start anew after committing their mistakes as well as the values of accountability and responsibility as well:

I think, probably, the operative word for me would be "fair," which means – or "justice". When you talk about justice and even though both of those systems have the word justice on – in them, between restorative justice and juvenile justice system, I believe that the community conferencing center or restorative justice and process is similar off of the real justice in that people get a chance to participate in making the decisions about what is just for them based on whatever harm has been caused to them versus having a system or a [sic] individual come in and say, "Here is what's just," based on, "Here's what I can assess based on the information." And it really involves the whole story. And if you get the story sometimes behind an incident of harm, I think you're better – more likely to make a just decision. A lot of times in court systems and even juvenile justice, there's one side. There is not the entire story being told. So, what I truly believe, what works about restorative justice is it offers just that – justice. Or at least an

opportunity for justice to happen. And probably the fairest way I've seen – or fair process I've seen in any other systems. Between just going strictly to the system, than going to juvenile justice or the police department or the state's attorney's office or even an administrator in a school, making that decision for a young person or for the adults. The adult's making a decision for the young person versus including that young person in the decision making. So, it becomes like a holistic approach, like, "Wow. I have some responsibility or accountability can happen for me too." And it really helps tow young people to the fire – or to the table based on their actions, unlike any other system I've seen.

Participant # 6 stated that another effect that restorative justice programs provide the youth in order to reduce the chances of them into going back to their old lives was the direct involvement in the process of changing themselves and rebuilding their lives in order to understand the situation better:

I think the benefits of restorative justice programs – the youth involved in the offense has a direct – youth involved in restorative justice programs get more out of the situation than going through a traditional juvenile justice system, and that I mean that it has a way of – without going through shaming the individual and then repairing them from the damage that he inflicted upon the individuals he committed a crime against. In traditional juvenile justice systems when the person commits a crime it's all about punitive – what can we do to lock this person up or, you know, get him out of society; when restorative justice, they kind of creates a way for that juvenile to be repaired from the damage he's committed upon his victims. I think in more description is that it has a way of repairing the person

instead of just damaging. In traditional juvenile justice system, they just, basically, just punish instead of help rebuilding that person, and a restorative justice program helps that person understand what they've done and what they can do to try to make themselves better from it.

Participant # 7 also emphasized that in this kind of program, the youth can lessen the chance of recidivism as they are given the chance to truly rehabilitate and change for the better as opposed to the traditional setting wherein they are subjected and punished without the children completely understanding what they did wrong or what their mistakes were in the first place:

The restorative justice program gives our youth more of a chance, more of an opportunity for – I guess rehabilitation, atonement, accountability, as opposed to the benefits of the juvenile system. They just, you know, go to court, see the judge, and get sentenced. So this gives them more of an opportunity. And once they do go through the regular justice system it usually ends up being repetitive. And the restorative justice program, I think, gives more – it's more like a second chance.

The second and only invariant constituent, drawn from the comments of two out of seven participants, or 29% was that: "By allowing the young individuals involved to speak and be heard without taking away their rights immediately, then the recidivism rates can be reduced."

Participant # 1 stated that one benefit and advantage of a restorative justice program is that it allows the youth to truly speak and be heard without being punished too quickly by the government:

In restorative justice, people get to speak directly with each other, people who have been involved and/or affected by a certain situation or incident. As opposed to having that power removed from them and taken over by judges and lawyers and such. So, the people get to be heard. They speak directly with each other. They get to come up with the solutions on their own. As opposed to traditional juvenile justice systems, where all that power is taken away from the victim and the offender and decided according to lots of different things, not necessarily what people want, or how people are going to heal or how people are going to benefit. Things like plea bargaining and probation before judgment, because we think a jury will find this young person guilty. So, lots of other factors that is not necessarily beneficial to the participants.

Participant # 3 also shared that the restorative program can reduce recidivism rates by highlighting one modern and almost forgotten approach of hearing and listening to both parties before judging them:

Ok. I think traditional juvenile justice systems are very outdated. I think they don't take into account or consideration the youth that are coming now. I think when most of the programs were put in place it was many, many years ago. And youth now are very different than how they were back then, obviously. I think restorative justice programs – restorative justice programs take into consideration people where they are. So it's constantly changing and evolving. They're constantly taking from the actual people they're serving. They're not going from something that's been in place many, many years ago. So it's more about who –

who is involved in the conflict or who's involved in whatever it is that's going on.

It's not about just trying to keep things the way they always were.

I think that kids who go through programs like our own – they learn that they too have a voice. Not only are they learning about how they're affecting others; they get to voice what's going on with them. They get to actually say what's in their heart, what was in their mind, why they did what they did, and there's always background to every story. It's not always cut and dry. In the justice system, you don't hear stories; you just hear about whatever it is that someone's done. In restorative programs, you hear about what led them to that place, why they did what they did, and it helps them. When you speak something it helps you think about what it is you did. So I just think that gives them more of an advantage to understand themselves even – themselves and everyone else. The juvenile justice system doesn't. And I actually feel like in that system, some kids who aren't – who are on the verge of going bad or good – well, no – not good; but on the verge of going bad, if – when they come into contact with others who are already there, they actually go more towards that way.

## **Theme 2**

The second thematic label that surfaced from the second subresearch question which is how the evidenced-based restorative justice programs for African American males 12 to 17 in an urban environment affect the involvement of youth in the juvenile justice system, was that "The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly." This was deduced from three invariant constituents, as seen in Table 2.



Table 2

*Effect of Evidenced-Based Restorative Justice Programs*

Invariant Constituents	# of occurrences	% of occurrences
The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly	4	57%
Through the idea of altered and changed processes of the evidence-based restorative justice programs, the involvement of the youth can be increased because they do not feel locked up as compared to the traditional system	2	29%
Through the "home-based therapy" of the evidence-based restorative justice programs, the involvement of youth has been more effective and proven to be working as well	1	14%

In general, the theme: "The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly," which I found to be one of the four most significant findings of the study, emerged from four out of seven, or 57% (Table 2) out of seven of the interviewed respondents.

Participant # 2 stated that the evidence-based restorative justice program encourages involvement and participation from the youth as they continuously strive to remind the community that an organization that can listen and make them better truly exists:

Yeah, this is where I struggle about wondering if they should exist as one. You know, we exist because the system is broken and because the bureaucracy doesn't work, and we exist in response to that; so if we were to change what we do or

compromise the integrity or try to fit into that system, or if they tried to take on what we did, which – we do, which is really organic and community-led and for the community, I feel like – that it would be compromised. And it's just – I think we need to continue to exist and represent that we represent, and give the chance to the folks that aren't given a chance otherwise. And I'm not sure a program like that could exist within the juvenile justice system and I don't think it should.

Participant # 3 added that by talking and listening, the youth can get involved more as they are given the chance to be heard and served justice rightly through the evidence-based restorative justice program:

I think just talking. I think talking and listening. The conference – our conferences have three aspects. You hear what exactly happened; you hear how people are affected by what happened; and then they come up with a way to resolve it. So I think a lot of the programs are just other people saying what should happen. This has been – this is the sentence that's supposed to be imposed. It's just too structured. I think that it needs to be looser. I think it needs to be more talking. What does the victim need? What does the respondent need? What do people need in order to move forward? The more we talk about what people need and hear people, then it can be resolved. Is it really resolved if you're trying to resolve it without the people involved?

Participant # 5 also highlighted the importance of dialogues in youth involvement especially when it comes to the evidence-based restorative justice program:

You know, I've been working here for nine years and we have done – like – some circle work with – like – victim/offender dialogue with youth – like – I think it

was for victim/offender – victims’ week? I think it was victims’ week. Victims’ rights week – where we held circles in actual facilities with not only the young people who were being held there and their families, but also DJS workers, not only from the center – from the actual facilities but also from the administration building. So – like – Secretary Montague actually participated in one of our circles and they had to share a time when either they were affected or – by a crime – or that they had caused hurt to someone. And I think that more of that needs to happen because I think that the administration and the workers really got to hear from the young people and it was very inclusive. This process is very inclusive and it’s not – like – top down. And you need that sometimes to run – you know – an agency, but if you’re trying to repair harm and trying to get young people to understand that their actions have reactions and effect people, then there needs to be that dialogue happening with them. If you’re trying to lower recidivism rates, then you need to have that – find out why kids are doing what they’re doing. What do they need? And it can’t be adults deciding for kids what they need in order to make things better. Kids have to have a say in that. And I think those circles were really good. Like I said, I do think you need to have structure for – not the bureaucracy, but – you know – to run an agency, but if it’s an agency that’s trying to rehabilitate young people, then you have to include the people in what they need. And I think that this process allows that to happen. I also think that they need to rely on programs like us a little bit more. Like I said, every offense, I don’t think an arrestable offense. It’s usually people that don’t get along and that are not a crime. People are not going to get along, but how do you

resolve that conflict, and it's usually – the fight is the ends to the means, I guess – that's what it –

So, you know – it's like a suspension – like – well, why were they suspended?

Well, what was happening? Or why were they arrested? What was happening?

And so, you arrest them, take them out of community and you don't do anything

with them and send them right back to the community without addressing the

issue – the real issue. So, I think until DJS understands, or systems like juvenile

services across the country start to realize that you have to address the issues, you

can't cut funding for young people in a city and then wonder why crime rates are

going up. They have nothing to do and idle minds and time – it just – it's like a

breeding ground for chaos.

The second invariant constituent, drawn from the comments of two out of seven participants, or 29% was: "Through the idea of altered and changed processes of the evidence-based restorative justice programs, the involvement of the youth can be increased because they do not feel locked up as compared to the traditional system."

Participant # 1 shared the idea of "diversions" an example of an altered and modified process to get the youth to voluntarily decide to come and get involved in the evidence-based restorative justice programs, the participant explained that:

So, if they did diversions at – so down in Baltimore, we have the Juvenile Justice Center, and it's supposed to be a one-stop shop. So, kids do meet their PO there.

They get arraigned there. The actual detention center is there. And if you put a diversion in that building, I don't think it would be effective at all. Is that what you're asking?

I think it has to be managed outside of –the building, physically. And I think it has to be managed outside of an institution that is a bureaucracy, because we all know that they can mess up a soup sandwich. And there may be other restorative practices that could embrace those particular cases. So, I think having those desks or those positions or those departments within institutions that are well-trained, understand our process, make good referrals and determine in an effective and efficient way what cases are best for this particular process... And so, that's something that we work on. And we have an outreach coordinator, and you can talk to Jennifer more about some of that. And it is an ongoing – it's an ongoing process. And then I think, also, like, you know, money is always some part of it. So, how much – I don't think the Department of Juvenile Services funds any part of our program. And so, that kind of gives you an indication that that particular institution isn't fully, maybe isn't fully committed. So, they want it, 'cause it looks good on their numbers. And maybe there's an initiative from up above that says, "We need more cases diverted," or "We need less arrests," or whatever. So, the – it's, again, not kind of part of their day-to-day mentality. And if you are working within a lock them up institution, then it's difficult to think about what an alternative to that might be. And then, if you express what, sometimes, what restorative practices look like, it sounds too loosey-goosey [sic] and not hard enough on crime and not punitive enough and – so there's a paradigm that would have to shift to really embrace restorative justice processes within the system. And, you know, that comes from top down, but also from bottom up, I think.

Participant # 4 added that the idea of having something new and out of the traditional can definitely encourage the youth out of the juvenile system to get involved in the evidence-based restorative justice system:

I think the term in itself, restorative justice, is relatively – not relatively new, ‘because it’s been around for quite a while, but to say, “This is a practice. This is a way of life. This is a way that–“in dealing with a whole system - and it’s not that we throw out the old systems. So, when you asked me – programs could be effective in dealing with – rather than traditional – wow – they could learn a lot, but the evidence base is what you said. And it’s really difficult because a lot of what are considered restorative practices programs, don’t necessarily have the evidence base because there’s not been a lot of work done – research to support – so, there’s not a lot of factual evidence. We have evidence that we start recording stories from people, and having people say, “How did you feel after?” That is just being collected, say, over the last 5-10 years. Whereas, the system of justice, or traditional systems, have been in place for centuries. Yeah, centuries. So, they have more evidence to say, “Here’s what’s being done.” Right or wrong it’s been the standard. It’s been the status quo or the norm, so we tend to say that’s what people should accept. So, we’re relatively new if you think about the spectrum is to – this is a relatively new idea. So, we don’t always have the evidence based information to support it. Our program – I mean, we’ve been working at making sure we develop it – and having to add that so we can even search or research and get out there and receive grants for the work that we do. So, for the last – I mean, I’m sure there’s probably nothing going back 20 years, but there’s probably –

maybe 10 years of evidence based research that we could have here. We're relatively – kind of – new program in that – in the last – you know – 10, 15 years – I don't know if there's a whole bunch out there to support, but if you talk to anyone and you have to interview those individuals who have participated – and they will definitely tell you – so, from our information, we have like, a 95 or a 94% success rate of those people, who have participated in conferences, and who were satisfied with the process, who agree that whatever they've done is more satisfactory than traditional based – going through the system – going to court – so, we haven't done a comparison data study yet, but we have done status on recidivism with juvenile services that we know there's a 60% less likely – young person who participates in the conference to repeat the action, versus going through the traditional system. And that data was small. They did a small sampling of young people of comparable ages and information and backgrounds to see what they could come up with and that was just something they did on their own. I don't know that there's any long term, comprehensive studies in existence. At least for the work that we do around restorative justice.

The third and last invariant constituent, drawn from the response of only one out of seven participants or 14% was: "Through the "home-based therapy" of the evidence-based restorative justice programs, the involvement of youth has been more effective and proven to be working as well."

Participant # 6 shared how the "home-based therapy" is an effective mechanism wherein the youth can get more actively involved to the evidence-based restorative

justice programs, given a more acceptable and favorable setting and environment for them:

In evidence-based programs, restorative justice programs that would be effective in traditional. I think what evidence-based programs would be effective is those programs that go out to the home and address the needs that are in the home with the youth, his family, the community. Those evidence-based programs – 'cause evidence-based research has proven that in order to really address a kid's problems or needs, you should be doing that in the home and not take the kid out of the home, so one of the most effective evidence-based programs is in-home therapy. If you could incorporate in-home therapy in a traditional juvenile justice system – they have been trying to do that recently. Like Department of Juvenile Services, they now have FFT, Family Functional Therapy, where they go out to the home because evidence-based has proven that that's what works now. So that's where the mindset of people in the juvenile justice system is going, that they need to address the needs of these individuals inside their home. So that's the most effective part of restorative justice or evidence-based restorative justice in the juvenile justice system – the home-based therapy.

### **Theme 3**

The third subthematic label that surfaced from the third research question which are the descriptions of an effective/successful restorative justice program, was that "The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes." It was deduced from four invariant constituents (See Table 3).



Table 3

*The Descriptions of an Effective/Successful Restorative Justice Program*

Invariant Constituents	# of occurrences	% of occurrences
The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes	4	57%
The "Fidelity Model" should be rebuilt and restored so that the youth can have trust as to who and what to follow while undergoing the restorative justice program for it to be effective/ successful	1	14%
The feeling of belongingness with instilled values for the youth should be apparent to know that indeed the restorative justice program has been effective and successful	1	14%
The selection process should be modified as to who goes to the restorative justice program and those who should go juvenile to see a more effective/ successful program	1	14%

Overall, the theme: "The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes", which the researcher considered to be one of the most significant out of the four main findings of the study, emerged from four, 57% (Table 3) out of seven of the interviewed participants.

Participant # 2 shared an effective and successful restorative justice program that they practice in their community that promotes transparency and openness to all stakeholders:

I think ours. I think that there are a lot of restorative initiatives that deal with things on all different levels, and I think they all work in their own unique way. I think what's great about community conferencing and what we do is the

transparency we have on all levels. So we're very clear and up-front with everybody about what the process are, what they're going to expect, that there's no secrets that are going to be told or nobody's going to hear anything that others won't. They have the opportunity – it's voluntary, so they have the opportunity, at any point, to choose something different, and they get a say in what the outcome is. You know, they really get to direct how the meeting goes and what the outcome is. The other piece is that my job as a facilitator is really just – to just make sure the conversation's moving along, but, really, they're empowered to be the experts of their own conflict. They were the ones who were there. They were the ones who were involved. I don't know anything about it. I wasn't there. All I know is what's written on a paper. I don't go by that. These are humans sitting in here that are much more than one sheet of paper that I got or – you know, from a referral source, so they get to do it and I trust that they have the full capacity to do it. And I think that's another thing that, as facilitators, everyone in our office really has, is that you really need to inherently believe that people are capable of resolving their own conflicts, and I've seen it and I know it and I trust and have faith that they get to do that, so – and our outcomes show it, you know, that what we're doing' is working and – yeah.

Participant # 3 also added that a successful program is one that allows the youth involved to speak and to be heard as well, which is the main idea of the community conference:

I would describe a successful program as one that would just take the participants into consideration and what the participants say, they would lead whatever it is.

There's no way – and I think I said this earlier. There's no way you can come to a resolution or feel resolved about something if you don't have input. I think a successful program will have input from the participants involved.

Participant # 5 shared that their community conferencing has been very effective and successful that even schools and other institutions have joined and participated as well:

I think we're successful at what we do. I mean, it would be – community conferencing – I think it would be a staff like this. So, I don't only facilitate. I'm deputy director here and so, this – you really have to have a good blend of facilitators who get it. And facilitators who are good facilitators can be – can remain neutral, and see bigger vision, and how to grow and how to use this work and apply it in different venues. So like, workplace conferences, we do for workplace conferences. After school programs utilize us. Schools utilize us. Like I said, the police, DJS, states' attorneys use us. All the way up to crimes that are – serious crimes conferences, but in particular, I think, for us, it's making a dent in those disproportionate minority context with the system. I think – it's kind of funny because for us to stay in business we kind of need kids to keep doing what they're doing, but the goal of our program is to lower recidivism, so when that starts to happen, we have to figure out how to – and we're kind of in that now, because the number of cases that we're getting is a little bit lower this year, so how else can we use this process? So, just thinking about re-entry – like – kids that get committed, coming back into a household, there's clearly a conflict there. Clearly people are affected by what happened. How do they assimilate back into

the household? So, can community conferencing be used in that? We have a lot of young people, African American males, domestic violence cases that are coming through, so that's – you know – another avenue that we're applying this process in. I think you just kind of have to change with the times. I remember when I first got here; the referrals were mainly African American youth – male. I think, maybe a year and a half after I started, so like, 2005, 2006 – the number of young women that were referred – and I know the studies about African American males, and we've been talking about that as a staff too, but a lot of attention has been poured into males and what they need, and the young women, I think, have kind of been left behind. And so, we – its flip flopped. The majority of our cases are African American women that come through the door now. And not just one on ones – but large girls – like – I think my last large one was 17 young women referred. And so, to conference that at one time is a lot.

Participant # 6 simply stated that the community conference is considered effective and successful as it changes the children's lives overall:

Our community conferencing program. Our community conferencing program in and around the counties. It's successful; it's effective because we're changing kids' lives. I mean, let's think about it, we've done what most people haven't been able to do by getting young African American kids and having mediations that change, or conferences, that change their lives and, you know, put them back on the right path. So how do I describe a successful-it's a program that helps kids move on or benefit from mistakes, help them to understand what they done, and help them to understand that when they create a crime that they're harming

somebody. And then when you're – and not only harming someone else, but you're harming yourself, and a successful program should address that with the youth, address that with the family, address that with the community. And a successful program should be able to spread that restorative justice to all individuals that it can be – can benefit from that, so that's why I'm trying to do as many conferences as I can to help us because I also am involved in DMC, disproportionate minority contact, where the governor's office recognizes there's too many African Americans in the system that don't need to be, that there's crimes that occur that could be – that could – we could mediate and come – or come up with a conference and help them and divert it. So a successful community conference/effective program would divert youth from going into the system but still make them feel whole or make them feel better – and the victim – about the crime that has occurred. So a successful program would benefit everyone: the victim, by making them feel better about the crime that occurred; the respondent or the party that created the crime, by building them up from letting them know that they made a mistake and they got to move on from that, but you harm people when you do that; and the community, by bringing everybody together and let them discuss their issues instead of sending everybody to court and let them pay for it. So a successful program would benefit all parties and the community and home and make people feel better about themselves.

The second invariant constituent, drawn from the response of only one out of seven participants, or 14% was that: "The "Fidelity Model" should be rebuilt and restored

so that the youth can have trust as to who and what to follow while undergoing the restorative justice program for it to be effective/successful."

Participant # 1 shared that an effective program is one that is seen as respected and trustworthy and gave the "Fidelity Model" as an example:

I think you have to have the partners. I think this is – this word is actually – there's an excellent model. So, it's taken, you know, a long time in building the relationships, maintaining an integrity and, sort of, sticking to a fidelity model, so that we don't mush around and say, "Oh, well, OK. We'll kind of compromise in this way or compromise in that way." I think this organization has really stuck true to the process and how this process works, how it's effective and for whom it's effective. So, it's not effective for people who really want to keep the beef going. It's not effective for kids who don't acknowledge they were even involved. But I think only the relationships with the agencies that have – the referring agencies being known in the community and having community knowledge, understanding and access and sticking to what we do, not trying to modify it to fit other agencies' or bureaucracies' needs is a good model.

The third invariant constituent, drawn from the response of only one out of seven participants or 14% was: "The feeling of belongingness with instilled values for the youth should be apparent to know that indeed the restorative justice program has been effective and successful" should be present.

Participant # 4 explained that an effective and successful restorative program is one that practices what it teaches and preaches the youth, and one that allows its members to truly change because they believe in the program:

One that practices what it preaches. If you are truly a restorative justice program, and that's your total role and intent – in allowing people to work things out for themselves then that should be how your organization is run. So, I think, if you say, "What's effective?" Then those people that participate in that organization aren't just offering something that they don't believe in and that they're not passionate about. But, it's like, if you want to talk the talk, you walk the walk yourself. So, the organization is successful if it's walking the walk that it preaches or offers to the public. And that's what happens here. So, that's how I would identify a successful organization versus – whoever can bring in the most money or the most funding or – and so we all tend to leave feeling satisfied that we are participating in – or doing something that is completely – and you want to belong to an organization that you feel a part of. And that's what restorative justice is, "I'm a part of this. So, I'm a part of building and growing this, and selling this, because I am the product in which I sell." And that's the most amazing thing about what I would consider a restorative justice program.

The fourth invariant constituent, drawn from the response of only one out of seven participants, or 14% was that: "The selection process should be modified as to who goes to the restorative justice program and those who should go juvenile to see a more effective/ successful program."

Participant # 7 stated that for the restorative justice program to be considered effective, it should be modified to get the youth or the ones involved to actively participate and made known that they can indeed change for the better through the program:

Successful, effective restorative program? I think maybe tweaking the – I don't know how to – the selection process, as far as who goes to restorative or who goes to juvenile. Again, you know, like I said previously, there are those that you just can't touch. And you can – and a lot of times, especially with males, even within the whole conference atmosphere at first it's a little more difficult to reach males because they tend to have that big bravado and it's a little bit more difficult. But usually you can reach them. But there are those that – and although they're very protective and close-mouthed and whatever, but usually you can. But there are those that – and I've seen it in females, as well – that it's like you can see that the parents are powerless. The – it's like pretty much everything is powerless. They just – so I think maybe being more – tweaking the whole selection process.

### **The Findings and the Relevant Literature**

The findings that emerged in the analysis section of the study correlate to the relevant literature identified and presented in Chapter 2. Bradshaw and Roseborough (2005) found that “the aim of restorative justice is to repair the harm done by the crime by bringing together the people most affected by the offence to determine how to deal with the offence; dialogue, reparation, and accountability are critical components” (p.15). Villa-Vicencio and Doxtader (2004) added that the aim of restorative justice is to "contribute to the rebuilding of society in a different way as it seeks to address the personal and communal dimensions that create the possibility of rebuilding life in the wake of tragedy and destruction (p. 37). The studies by Bradshaw and Roseborough (2005) and that of Villa-Vicencio and Doxtader (2004) both pertain to using the capability of the restorative justice system to rebuild the accused males' values and lives



overall to reduce recidivism rates and lessen their involvement in the juvenile justice system. These studies then clearly support the results, specifically Theme # 1 wherein it was found that "By helping the young individuals involved realize their accountability while rebuilding their lives overall, then recidivism rates can be reduced"

The study presented by Mutter et al. (2008) focused on the attitudes of the young offenders toward the family group conferences, including any psychosocial changes that resulted from the conference. The offender group encompassed 26 young men and four young women. With the exception of one participant who was undecided, all the participants felt they were heard and were treated with dignity and respect. Another study showed by Mutter et al. (2008) identified early on that the capacity of the evidence-based programs to hear and listen to the youth offenders' side and make them feel involved is another effect that allows the youth to be engaged further and accept the idea of restorative justice. These studies again connect to another theme formed in this specific research study with: "The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly."

An effective/successful restorative justice program then is one where offenders are allowed to speak and understand their mistakes according to the participants. Dharni (2012) shared that when apologies are accepted by victims, perpetrators may be more likely to feel satisfied with the victim-offender mediation process. In another study by Stahlkopf (2009) the young individuals were shown to be pleased that adults asked for their thoughts and listened to them, and in particular, they were happy that they were given a "second chance" (p. 247). The process mentioned is done through a conference program which again allows the children to be heard and in turn can make them realize

and learn from their mistakes. One program created is known as "family group conferencing" which is a more recent innovation in restorative justice programs (Bradshaw & Roseborough, 2005). These infer to another theme established in the study, which was that: "The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes." Overall, these studies and the themes explained can be condensed into the conclusion of Hayes and Herbert's (2011) research study. Hayes and Herbert explained that restorative justice can "involve a fostering of dialogue between the offender and the victim showing the highest rates of victim satisfaction, true accountability by the offender, and reduced recidivism" (p. 124).

### **Summary and Conclusion**

Chapter 4 discussed and presented the data collected and findings from the seven conducted interviews for the case study. Also, throughout the gathered interviews, I carefully studied and analyzed the knowledge, perceptions, and experiences of the participants with regard to how the utility of restorative justice programs aid in reducing recidivism for African American males, ages 12 to 17 in Baltimore City's urban community. Chapter 4 also logically presented the data gathering that I employed and followed, who the participants of the study were, the data analysis through the three flow activity of Miles and Huberman (1994), the clustered and thematized findings with proper descriptions to aid in understanding the results of the interviews, and the relevance of the findings to other literature. I then was able to develop four main themes all pertaining to the four research questions formed in the early stages of the study.

The findings developed all underpin the fact that indeed, a restorative justice is needed in order to aid the African Americans, especially the males and those aged from 12-17 to be guided and given the chance to be better with the given program/s. The themes that emerged in particular were the following: (a) By helping the young individuals involved realize their accountability while rebuilding their lives overall, then recidivism rates can be reduced; (b) The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly; and that (c) The conferencing program is one effective and successful restorative justice program as it allows the children to move on and benefit from their past mistakes. The next chapter, Chapter 5 presents further the discussion of the results and the overall conclusions of the study.

## Chapter 5: Summary, Conclusions and Recommendations

### **Overview of the Study**

The rationale of the study was to investigate the role of restorative justice in the reduction of recidivism of African American youths in an urban community. The body of knowledge on restorative justice is confined to the effectiveness of restorative justice programs in reducing the engagement of youths in the juvenile justice system. Previous studies (Hill, 2009; Maloney, 2007; Wenzel et al., 2008) focused on improving restorative programs, realizing the role of the community in the process. Nonetheless, the purpose of the research was validated by the claims of past studies (Gromet & Darley, 2006; Hutchinson, 2006; Priban, 2009) that restorative justice reduces recidivism.

The purpose of this qualitative case study was to understand the utility of restorative justice programs in reducing recidivism for African American males ages 12 to 17 in Baltimore City's urban community. This research used a qualitative method to study the effect of restorative justice in reducing recidivism of African American youths. Moreover, the present research evaluated restorative justice as opposed to punitive justice, and how these restorative justice programs could serve as an alternative way of addressing delinquents. A case study approach was selected to induce reliable data. Moreover, this approach provides an opportunity for using purposeful sampling to study a bounded system/one case or multiple bounded systems/cases over time (Creswell, 2007; Patton, 2002).

The present study further utilized intrinsic case study design, which focuses on one unique specific case (Creswell, 2007), which was delinquent African American youths from Baltimore City. Purposeful sampling was facilitated through intensity

sampling strategies that described the impact that restorative justice programs have on the community. Furthermore, the approach provided an opportunity for face-to-face interaction that facilitated an inductive data analysis approach, resulting to voluminous data. The case study approach provided a natural setting, which enabled me to gather various data through interviews, documents, archival data, and observation. Seven interviews were done for valid and reliable outcomes to emerge for the better understanding of the utilization and general effects of the restorative justice programs on the African American males, in this case aged 12-17.

Consequently, the detailed and voluminous data gathered from face-to-face interviews, observations, and document evaluations were reviewed collectively for emerging themes. Facilitation of qualitative data analysis of the information gathered subjectively described the effects of restorative justice. To establish more credible and reliable findings from voluminous data, a computer software program was used during the analysis process to code text or other elements of the data sources and to manipulate data and graphically display codes. The participants selected for the study were seven experts on the restorative justice programs who have many years of experiences on the issue at hand.

To address the research questions, themes were developed using qualitative data analysis. The central research question for this study was: How do restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system? Furthermore, two subquestions were used: (a) How do evidenced-based restorative justice programs for African American males 12 to

17 in an urban environment affect the involvement of youth in the juvenile justice system, and (b) How do you describe an effective/successful restorative justice program?

The case study established three themes from the responses of the said participants, which could all be considered as main sources of data, as they were directly gathered and interpreted from those who have experienced the issue firsthand. These themes are all central to the main and subresearch questions presented in the earlier parts of the paper. The first and central theme which emerged from the responses is that (a) "The restorative justice programs can reduce recidivism rates and lessen their involvement in the juvenile justice system by helping the individuals realize their accountability while rebuilding their lives overall." Secondly, a subtheme that emerged from the responses is that (b) "The evidence-based restorative justice programs allow both parties to be heard that is why the youth's involvement and situation are considered greatly." The second subtheme that emerged from the responses is that (c) "The conferencing program is one effective and successful restorative justice program as it allows the children move on and benefit from their past mistakes."

### **Interpretation of the Findings**

The framework of the current study is based on Braithwaite's (2002) restorative justice theory. It is a continuous process defined by its rituals of repentance that restore victims, offenders, and community through consensus restoration. This theory will provide a lens for considering the utility of alternative sentencing for juvenile offenders, particularly those of color, in urban environments. From a theoretical perspective, it is likely that the underpinnings of restorative justice programming will be accomplished through a theoretical lens used to examine well-documented and successful

programming. The motivation behind this proposition is the concept that studying successful restorative justice programs increases juvenile justice practitioner's chances of reducing youth involvement in the justice system.

### **Theme 1**

I concluded that restorative justice programs reduce recidivism by making the delinquents realize that they are accountable for their actions. This is considered one of the most vital findings of the study, and was pointed out by five (71%) out of seven (see Table 1 in Chapter 4) of the interviewed respondents.

One of the ideas developed directly related to this theme is that infusing values of accountability and responsibility to the youth in restorative justice program reduces recidivism as well as lessens their involvement in juvenile crimes (Participant 2). This notion can be well-explained by Baffour's (2006) claim about restorative justice in relation to African American families. Baffour concluded that mediation strategies such as family group conferencing could draw on the strengths, values, and cultural traditions of African American families, which would optimize the effectiveness of the (restorative) program. The effectiveness of this restorative program is assessed to be directly linked to lower recidivism. Thus, it supported the notion that emerged in the data coming from Participant # 2.

Similarly, Umbreit and Armour (2011) emphasized that restorative justice programs illuminate human rights, values, human dignity, relationships, community, and freedom, which empowers the victim, offender, and the community. Moreover, Maloney (2007) argued that restorative justice could be broadly defined as a consensus restoration of justice by reestablishing the values infringed upon by the offenders. In addition,

restorative justice programs should be in balance with community safety, provide accountability for youthful offenders' behavior, and enhance youth development and core competencies (Maloney, 2007). Therefore, as shown above, these studies have validated the idea that restorative justice reduces the recidivism through embedding the values of accountability and responsibility to the youth.

Furthermore, studies by Schachter (2010) and Zaslav (2010) noted that restorative justice stresses the role of the offender in understanding the impact of his or her actions and making suitable amends. This claim from both studies cited above revalidated the idea that instilling values of accountability and responsibility provided in restorative justice reduced the reoccurrence of delinquent acts from the youth.

Another notion developed from the first theme that emerged is the idea of "fairness," which allows the youth to move on and start anew after committing their mistakes (Participant # 4). This notion can be best explained by shared identity derived from social identity theory and has recently been introduced into the study of attitudes toward restorative justice (Gromet & Daley, 2009). Having the sense of shared identity between the victim and the offender promotes equality, which leads fairness. Okimoto et al. (2009) added that shared identity is an important influence on perceptions of fairness. The decisions were generally viewed as fairer when they mutually were reached by the victim and the offender, than when they were imposed (Okimoto et al., 2009). This notion of shared identity clearly validates the claim that achieving a sense of "fairness" reduces recidivism and further promotes involvement of the delinquents. In addition, a qualitative study conducted by Stahlkopf (2009) concluded that juvenile offenders were largely satisfied with the process of victim-offender mediations, which was perceived as



fair and empowering. This conclusion supports the claim by entailing that perceived fairness in mediations promotes satisfaction, which signifies total involvement from the offender.

Interestingly, the same study by Okimoto et al (2009) concluded that the response was also perceived as fairer when it included punitive actions than when there was no punishment. These results are consistent with the study of Gromet and Daley (2006), who found that although people accept restorative justice and tend to prefer it to less serious offenses, retributive measures are also important for eliciting a sense of fairness. Therefore, it is essential to say that although restorative justice aims to promote betterment of the delinquent youths, it does not tolerate the wrongdoing by not imposing anything to the offender. What the findings clearly showed was that restorative justice does not focus on punishment for transgressing the rules, but more on the integration of the punishment and its effects to the offender. The sense of “fairness” then should be clearly defined regarding its inclination to restorative justice and retributive measures.

Direct involvement of the delinquents in the process of changing themselves and rebuilding their lives is another notion that developed from the first theme (Participant # 6). This can be attributed to restorative justice theory by Hutchinson (2006). Hutchinson proposed that “the involvement of all the parties concerned with the criminal event (including the victim, the offender, supporters of each, and the wider community)” (p. 453) is one of the major tenets of the theory. This view exemplified that the offender’s direct involvement is crucial for restorative justice to be successful. Thus, indirectly stated, an offender’s involvement may promote reduction of recidivism among the delinquent youths.

Consequently, the last notion induced from the first theme explained that giving delinquents a chance to truly rehabilitate and change for the better reduced the reoccurrence of delinquent acts (Participant # 7). This claim is directly validated by the National Juvenile Justice Network (2008) in its conclusion that most adults, comprised of around 89%, in the Center for Children's Law and Policy (CCLP) survey agreed that practically all youth who commit crimes have the potential to change their behavior.

In a different light, another theme garnered 29% of the insights of the participants. This notion proposed that recidivism could reduce restorative justice by allowing the delinquents to speak and be heard while honoring their rights (Participant # 1). In line with this is the idea acquired from the answers of (Participant # 3). It is the claim that recidivism could be reduced by highlighting one modern and almost forgotten approach of hearing and listening to both parties before judging them. This is also well supported by the mediating strategies that promote equality between the victim and the offender. The perceived equality by the offender will result in improved involvement, which may be an avenue to reduce recidivism.

## **Theme 2**

The current theme, together with the other two themes (which are found to have lower significance compared to this theme) is developed from the research question regarding how restorative justice affects the involvement (Participant # 2) of youth to juvenile justice systems. This notion has garnered 57 % of the participants' insights, which distinguished it to be the most significant findings among the three. The most popular form of restorative justice is victim-offender mediation, accruing the largest empirical evidence base (Bradshaw & Roseborough, 2005). McCarter et al. (2009)

advocated community-based efforts (such as educational programs) as well as “evidence-based structural change” in juvenile justice policy and practice that focus on changes in processing and sanctions to correct the existing inequities in the juvenile justice system (p. 542). Consequently, the adoption of restorative justice practices such as victim-offender mediation, which has a sound evidence base (Bradshaw & Roseborough, 2005), could be one of the policy changes. Umbreit and Armour (2011) added that exchanging ideas, discussion, and collaboration are encouraged throughout the restorative justice process. Braithwaite (2006) supported this claim by further expounding that the apology and dialogue (Participant # 5) characteristic of family group conferencing or victim-offender mediation could be conceptualized as a repentance ritual, which can be regarded as a type of reintegrative shaming. As an implication, these claims confirmed that evidence-based restorative justice allows both parties to give each other’s side. Hence, this leeway of speaking out promotes involvement of the offenders in the process. Furthermore, Doerr (2008) argued that youth engagement in restorative justice programming reduces their involvement in the juvenile justice system.

Another notion developed from the second theme is the idea of an altered process of restorative justice, which increased the involvement rate of delinquent youths because they did not feel that they were imprisoned. This notion garnered 29% of the participants’ insights, which was determined not to be as significant as the first notion in the same theme. This notion can be explained by Umbreit and Armour (2011), arguing that restorative justice programs emphasized a sense of freedom, as it is part of the human rights values. Focusing on the harm that has been done as opposed to the rules that has been transgressed, restorative justice promotes equality in addressing the concerns of

both parties involved. One form of restorative justice that affected the perception of the delinquent youths is Positive Behavior Support (PBS). It focuses on the social and emotional influences on students' behavior (Schachter, 2010). This characteristic of both PBS and restorative justice ascertained that there could be a better alternative (Participant # 4) to traditional punitive justice. Thus, the phenomenon can be best explained by this realization of the delinquent youths that there are alternative justice programs other than punitive justice. Hence, this perception of a new and better program confirmed the claim that it increases the involvement of delinquent youths to rehabilitation.

Participant # 1 further urged diversion as a factor that makes delinquent youth voluntarily become involved in restorative programs. Diversion is the overall goal of victim-offender mediation (Prichard, 2010). This goal, in a way, helps the delinquent youths to have something to look-forward to, a sense of hope that their mistakes will be forgiven, which will allow them to move forward. This sense of hope will eventually motivate them to become involved in restorative justice programs voluntarily.

The last notion developed from the second theme is resorting to home-based therapy (Participant # 6). This notion proposed that youth will get actively involved if they are in an acceptable and favorable setting. This phenomenon is supported by the study of National Juvenile Justice Network (2008), which concluded that there is a wide agreement (76%) of delinquents who have been supported in conducting interventions in their respective communities and 62 % in their homes under close supervision. However, Mendel (2011) counter argued this point by concluding, "African American youth are more likely than White youth to be placed and, if placed, more likely to be sent to a state

youth correctional facility, rather than a private group home or residential treatment center” (Mendel, 2011, p. 23).

The effectiveness of home-based therapies is supported by a small body of knowledge, and future research into this field is highly suggested. However, with the cited study above, there is evidence that granting home-based therapies has encountered precipitating issues like bias and prejudice. This also confirmed the result, which reflected lower significance (14%) compared to other notions that emerged.

### **Theme 3**

This theme resulted from the research question: How do you describe an effective/successful restorative justice program? It has emerged four notions and this current theme is the most significant, with 57% of the participants’ insights. This phenomenon could be addressed by the study of Priban (2009), who concluded that effective restorative justice programs benefit the victim and builds trusting relationships, which manifest in creating a win-win situation for all significant stakeholders in their respective communities. Equally essential, restorative justice (Priban, 2009) reduces economic stress and increases the moral expectation within the community. Moreover, Priban added that effective restorative justice programs aim to restore victims/communities back to homeostasis and assist youthful offenders to become law-abiding citizens in their respective communities.

One notion that emerges from this theme was that effective and successful restorative justice programs are those practiced in the community and that promoted transparency and openness to all stakeholders (Participant # 2). This notion could be directly addressed by the study of Mutter et al. (2008). This study presented part of an

evaluation report of the *Family Group Conferences (FGC) Project for Young People Who Offend*, implemented in England and based on the New Zealand model. A unique feature of the New Zealand model is “private family time,” which entrusts the family with all decisions related to conflict resolution and planning for future solutions. Family group conferencing has previously been relegated to the child welfare system in the United Kingdom and has just recently been extended to the juvenile justice venue. With this past study under consideration, it is clear that effective restorative justice promotes healthy communication among family members of the offenders.

Another notion that emerged in the theme was that a successful program allows the youth involved to speak and to be heard as well, which is the main idea of the community conferencing (Participant # 3). This notion can also be well explained by reintegrative shaming. Reintegrative shaming is essential to the victims and can help the victims and the offenders recover from the harmful effects of the crime (Hayes, 2006). Reintegrative shaming is a form of restorative justice that allows the offender to speak and be heard while their rights are equally considered. Furthermore, Braithwaite (2006) supported this claim by further expounding that the apology, and more broadly the dialogue characteristic, of family group conferencing or victim-offender mediation can be conceptualized as a repentance ritual, which can be regarded as a type of reintegrative shaming. In contrast, the study of Choi and Severson (2009) examined apology concerning victim-offender mediations. The results of the content analysis showed that the perceptions of the genuineness of apologies are significantly different between offenders and their victims, underscoring the complex relationships and processes involved in victim-offender mediations.

Reintegrative shaming, accompanied by shared identity theory, extensively explains this phenomenon. Between the victim and the offender sharing identity in the victim-offender mediation process, a level of equality is established that initiates the offender's direct involvement to restorative justice. Verrecchia and Hutzell (2010) further concluded that moral reasoning is a critical competency among young offenders, which can be enhanced by their active participation in the restorative justice processes of victim-offender mediation or family group conferencing.

Community conferencing has been very effective and successful, to the point that even schools and other institutions have joined and participated (Participant # 5). This can be proven by Positive Behavior Support (PBS), which focuses on the social and emotional influences on students' behavior, and has superseded punitive disciplinary policies in a number of large cities including New York, Los Angeles, and Denver (Schachter, 2010). Restorative justice is a more recent innovation, providing opportunities to devise flexible and creative strategies for dealing with school behavior problems. Both PBS and Restorative Justice stress the role of the offender in understanding the impact of his or her actions and making suitable amends (Schachter, 2010; Zaslav, 2010).

The next notion stated that the community conference is considered effective and successful, as it changes the children's lives overall (Participant # 6). This is well supported by the theory of diversion. Diversion is a problematic issue within the juvenile justice system. Although the overall goal of victim-offender mediation is diverting juvenile offenders away from more expensive, time consuming, and punitive options, there are also concerns that it might have the unintended consequence of widening the net

(Prichard, 2010). However, the Australian study showed no evidence that diversion strategies widened the net (Prichard, 2010). Successful diversion can be characterized as successful change for the betterment of offenders' lives.

Consequently, another theme that emerged from the data is the rebuilding and restoration of a fidelity model so that the youth can have trust as to who and what to follow in the process (Participant # 1). This notion can be explained by the study of Forgatch, Patterson, and DeGarmo (2006), who defined fidelity as an incorporation of two concepts: *adherence* to core content components of the intervention, and the execution of *competence* through accomplished clinical and teaching practices. With these definitions in consideration, fidelity model can be utilized as an intervention to youth delinquency. Staying with the components of a delinquency intervention suggests a lower openness in the process.

Many researchers who have studied restorative justice have neglected to consider the roles and skills of the mediators in the victim-offender mediations. Choi and Gilbert (2010) supported this claim by concluding that the role of mediators in restorative justice may not always be consistent with how mediators perform their job in real life mediations. This validated the notion that clarity on whom and what to follow in the process is needed, which is advocated by the fidelity model. Therefore, this notion can be significant in reducing recidivism and is discussed in this chapter.

The developmental and social disorganization lines of research converge to provide a more sophisticated understanding of the socializing effects (positive and negative) of neighborhood characteristics on children and adolescents. The study of Mennis et al. (2011) supported this claim by concluding that understanding the role of



neighborhood effects on youth development and delinquency is especially important in view of the recent proliferation of “aftercare services” for preventing recidivism among adjudicate youth (p. 175). Mennis et al. (2011) added that neighborhood features exhibited a much stronger influence on delinquency than on recidivism. At the same time, two factors emerged as the dominant predictors of both delinquency and recidivism: violent crime and poverty. This research is then an affirmation that a sense of belongingness of the offender towards the other stakeholders is crucial for the effectiveness of restorative justice.

Interestingly, one of the findings of the same study cited above dictates that in spite of the effect of poverty and crime on delinquency and recidivism, there were differences in the neighborhood effects according to race. Mennis et al. (2011) specified that delinquency rates tended to be higher in African American neighborhoods, even after accounting for the effects of crime and poverty, but that recidivism rates were lower in African American neighborhoods marked by high rates of delinquency. This finding further suggests that the rate of recidivism is not directly dependent on the rate of delinquency among African American communities, which may be a feasible avenue for future studies.

One notion derived from the third research question is that an effective and successful restorative program is one that practices what it teaches and preaches to youth, and one that allows its members to change because they believe in the program (Participant # 4). This can be explained by focusing on a specific stakeholder, the mediator. Although little research has been conducted that focused on the mediators of the victim-offender mediation, this claim can be expounded using the study of Coben and

Harley (2003), who addressed three different factors relevant to restorative justice; international discussion about restorative justice, mediation, and the law. Coben and Harley stated that active neutrality of the mediator offers a variety of values to the parties and makes an argument out of them. The active neutrality that should be embodied by mediators make the offenders believe in the program. Thus, verifying the relevance of the claim cited above.

The last emerged notion that will be discussed in this theme is the modification of the selection process of the program and those who should go juvenile to see a more effective/ successful program. This notion was specified by Participant # 7, who stated that the effectiveness of the restorative program is considered through active participation of the delinquent youths. This can be explained by the study of Vazsonyi and Chen (2010), who studied the high risk for juvenile justice referrals. In their findings, race plays a significant role in juvenile justice referral. The findings of this kind of research can be further considered in selecting who should take part in a restorative justice program. In the present situation, less serious offenders are referred to restorative justice programs while more serious delinquent acts are preceded to retributive measures.

### **Limitation of the Study**

The major limitation of the study is methodological in nature. The study used a specific case to investigate the impact of the restorative justice phenomenon on the community. With the idiographic approach, this research sets the limitation regarding the generalization. Moreover, qualitative research is broad in scope, and may be affected by fiscal and time constraints related to the study (Patton, 2002). Although the nature of case studies has justified the selection of a particular program of interest for evaluation, it will

not eliminate the tendency of bias in the process. However, the methodology turned out to be suitable in garnering the required information to express the desired results. It allowed the researcher to select questions that would generate the desired outcome of the study and were tailored to specifically address the phenomenon under examination. The study narrowed its scope as much as possible to minimize the amount of time and resources devoted to conduct this kind of study. In fact, Baltimore was selected mostly because of its geographical proximity. Meanwhile, the biases involved did allow the opportunity to innovate the interview and observation process using my own lived experiences and training. Nevertheless, I mitigated this concern by explaining and identifying all perceived biases at the onset of the research design. Bracketing techniques were also used to separate personal feelings and opinions on the data.

The mentioned limitations hinder the generalization of its results because of the scope of the case study. The results may vary if the general population was tested. However, both theory and literature support the notion that recidivism rates are much lower in restorative justice programs than in punitive programs using different populations. This study extends the existing research with particular focus on African American juveniles in Baltimore City's urban community. The findings added further credence to the effects of the use of restorative justice programs. Additionally, the methodology and scope of the study is easy to replicate and extend. This allows other researchers to use the current study as the foundation for further studies on the effects of restorative justice on recidivism.

The gap in the literature on restorative justice in relation to the reduction of recidivism among the African American youth set the significance of this study. The

validated claims as well as the themes that emerged from the data of this study will add to the body of knowledge on restorative justice. Moreover, these findings will affect a wide range of stakeholders. To start with, the findings of this study can help families experiencing juvenile delinquency. The findings herein presented the advantages and disadvantages of restorative justice programs as opposed to traditional punitive system. Studies regarding the positive effects of these restorative justice programs are extensively cited in the review of literature. Moreover, the findings from this research can also be used by the community in developing their own delinquency programs based on restorative justice. In addition, the findings from this study can also be used by policy makers, academics, lawyers, and government bodies to establish an effective delinquency program for youth in urban communities. Furthermore, it can give juvenile justice practitioners a method to view and evaluate restorative justice programming's effectiveness in reducing recidivism rates, particularly for African American youth in urban communities. Above all, this study will give juveniles who engaged in delinquency acts a sense of hope to move forward with their lives.

The findings also suggest that the involvement of all the stakeholders is crucial to initiate social change. In this phenomenon, the community has the most at stake. Juvenile delinquency has astonishingly increased over the past years. To deal with this, a change in the perceptions of all the stakeholders is needed. This change includes prejudice and misjudgment of both the community and the politicians. The potential for achieving effective restorative justice programs is nearly at hand; however, voluntary involvement is vital to achieving this. With all these findings, restorative justice will not be considered as a lenient form of justice system but a system that views all persons equally.

### **Recommendation for Future Research**

There is a chance to extend the scope of this study by considering a change in the methodological approach. The methodological purpose of this study was in line with the approach used to garner data, which was to examine the outcomes and determine how specific actions have led to these particular outcomes, producing themes representing the set of data that has been garnered. Having determined the nature of restorative justice encompassing African American youth, it is advised to look for other ways to contribute in the literature. The role of qualitative method has been fulfilled by examining the outcomes and how actions affect these outcomes. While qualitative methods produce rich and detailed data, there is a need to lift the limit of generalizability. To fulfill this, quantitative method is recommended to follow up these current findings. Determining the consistencies as well as the relationships among the determined outcomes will greatly enrich the body of knowledge on restorative justice. Moreover, it will help in pinpointing which of the themes significantly affect recidivism of African American youth.

Further studies may also look into the effects of restorative justice on offenders of different age groups and minorities to determine the effects of maturity and culture on recidivism. Several other demographic variables such as educational attainment, family background, and social status may also help in developing a set of best practices aimed at youth offenders, which are the most affected by current justice system. Additionally, other studies can investigate the perceptions of victims and the community on this type of justice system and whether they are amenable to replacing punishment with discourse and support for the offender. By examining the benefits of restorative justice programs on a wide variety of different populations, various mechanisms specifically targeting the

population can be initiated to reduce youth-involvement in the juvenile justice system. Additional positive outcomes of research on restorative justice may prompt policy makers to revisit the current juvenile justice system and change it to be more accommodative of the programs to influence the youth offender's behavior and increase their involvement in the community. Similarly, these programs should be explained thoroughly to victims and the community to make them more receptive to this approach on juvenile justice. This is especially important when the victim wants vindication for the offense committed.

### **Reflection of the Researcher**

The study of restorative justice is beneficial to the community at large. In the past years, juvenile delinquency has peaked despite the harsh punitive justice that serves the community. This phenomenon motivated a number of researchers to come up with alternative ways of serving justice to the people. This reason gave birth to restorative justice. Restorative justice involves all the stakeholders in the process. Moreover, it offers the offender a chance to speak and be heard to give back to the victim and the community, depending on the agreement. Restorative justice, with its very sense, aims to offer offenders a new life after committing their mistakes. However, the referral of restorative justice is somehow underdeveloped. There is no clear modification on who goes to restorative justice and who goes to retributive measures. Most, if not all the time, referral is blinded by prejudice and misjudgment. It is proven through previous literature that African American youths are often considered for the harsher option. This societal problem has served the purpose of this research.

Juvenile delinquency was viewed in the context of the rate of recidivism; however, studies have shown that these two are not directly related. This research offers a new body of knowledge on restorative justice in relation to recidivism. It imposed notions that will explain how restorative justice reduces the tendency of recidivism. Furthermore, this approach articulates clarity to every stakeholder, apprehending their roles in making an effective restorative program and how it reduces the reoccurrence of delinquent acts.

### **Conclusion of the Study**

This study was in line with the case study design, which focused on coming up with themes that clarified how restorative justice affected the reduction of recidivism. Face-to-face interviews were conducted alongside the document review and observation of the participants. This study is framed by the restorative justice theory. Grounds for future research are presented together with the reflections of the researcher. The improvement of the themes that emerged, whether it is supplementary or contradictory to what it proclaims, is greatly needed. Application of the findings for future studies is anticipated to broaden the body of knowledge on restorative justice in relation to reduction of recidivism.

This study also proved to be wide-ranging because it illuminated the potential benefit that restorative justice provides youth, the juvenile justice system, and all the stakeholders in the community. This goal can be achieved by addressing the existing challenges faced with finding and implementing effective restorative justice programming in urban communities. Moreover, the study may be a driving force for juvenile justice practitioners, policy makers, and academics to understanding characteristics of successful restorative justice programs for youth in urban communities.

Equally important, however, the findings indicated that restorative justice reduces economic stress and increases the moral expectation within the community. In addition, restorative justice at its core is important because it underpins the human and social capital of the victim, the youthful offender, and the community as a whole.



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## Appendix A: First Level of Coding or Data Reduction

### First Level of Coding or Data Reduction

The researcher read and analyzed the transcribed interviews of all the participants. In this first step, the researcher “highlighted chunks of varying size, for example: phrases, sentences, or whole sections” from the interviews (Miles & Huberman, 1994, p. 37). These data were then grouped according to the thematic labels from the research questions of the study. Found below is an example of how the researcher conducted the coding of the themes formed for the first research question of the study.

**Central Research Question # 1:** How do restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system?

**Thematic Label 1.** How the restorative justice programs for African American males 12-17 reduce recidivism rates and lessen their involvement in the juvenile justice system

**Theme A.** By helping the young individuals involved realize their accountability while rebuilding their lives overall, then the recidivism rates can be reduced

**(Be held accountable) Participant # 2:** So the larger picture of letting young people know that they deserve the opportunity to be held accountable. A lot of times, people just turn their back or turn the other way and not – they don’t wanna see what’s goin’ on, or we throw kids away and just say, “We’ll just lock you up,” and the problem is taken care of, but with restorative justice, we let them know that they’re worthy of and that they deserve the opportunity to step up and be held accountable for what they’ve done. And in terms of the benefits we explain to participants, when we’re preparing for

the conference and making all of our phone calls, we talk about the fact that they get a chance to tell their side ‘cause a lot of times what comes in the report is not exactly what happened. So they get to tell their side of the story, how they’ve been affected and hear how other people have been affected, and then they are part of coming up with the agreement of how to resolve things so it doesn’t happen again. So I think those are definitely benefits that aren’t offered in the traditional system.

*Participant # 4:* I think, probably, the operative word for me would be “fair,” which means – or “justice”. When you talk about justice and even though both of those systems have the word justice on – in them, between restorative justice and juvenile justice system, I believe that the community conferencing center or restorative justice and process is similar off of the real justice in that people get a chance to participate in making the decisions about what is just for them based on whatever harm has been caused to them versus having a system or a [sic] individual come in and say, “Here is what’s just,” based on, “Here’s what I can assess based on the information.” And it really involves the whole story. And if you get the story sometimes behind an incident of harm, I think you’re better – more likely to make a just decision. A lot of times in court systems and even juvenile justice, there’s one side. There is not the entire story being told. So, what I truly believe, what works about restorative justice is it offers just that – justice. Or at least an opportunity for justice to happen. And probably the most fair way I’ve seen – or fair process I’ve seen in any other systems. Between just going strictly to the system, than going to juvenile justice or the police department or the state’s attorney’s office or even an administrator in a school, making that decision for a young person or for the adults. The adult’s making a decision for the young person versus including that young



person in the decision making. So, it becomes like a holistic approach, like, “Wow. I have some responsibility or accountability can happen for me too.” And it really helps tow young people to the fire – or to the table based on their actions, unlike any other system I’ve seen.

**(to connect and interact) Participant # 5:** I think that the benefits of a restorative justice program allows – in – I guess, in relation to the work that we do here, allows people to connect with one another. Whereas, it’s not faceless crimes. There’s actually a story and a person and a life behind an incident that gets referred to us. So, it puts a face on the person who’s being – the person who’s getting – you know – a crime is being committed against. Whereas – and people are speaking for themselves in our process – or in a restorative justice process. And they’re building connections and building community. Whereas in a traditional juvenile justice system – not all, but most – don’t really – that’s – their idea is to separate. And so, our idea is to bring together people so that they have the capacity to resolve their own conflicts instead of somebody else deciding for them what should happen. A lot of traditional juvenile justice models don’t allow the participants to – or the victim and the offender to talk to one another. Whereas, restorative justice programs is the opposite. Like, we want people to talk to one another. And usually, you are less likely to commit a crime against someone that you know. And so – or someone that you have a relationship with. And our restorative justice program allows that to happen. So, the next time that a young person thinks about doing something, they think about that they’re not the only ones affected, but the person who’s – the crime is committed against. Maybe that husband who had to take off work and go pick up a wife ‘cause her car was stolen, a kid who didn’t get picked up from daycare,

they get to come to the conference and share how they've been affected. So, a young person gets to see, "Wow, it's not just me, but it's a community of people that are affected by what I did." And I think that's why our recidivism rate is so low. It's much lower than the – or much higher than the traditional juvenile justice system. Kids who go through our program are 60% less likely to reoffend. And that was DJS study, not our study. So, I think that is one of the biggest differences, is it allows people to connect with one another and build relationships with one another. And if you have a relationship with someone, you're less likely to commit a crime or have conflict with one another. 'Cause you allow the space to talk it out. And this kind of teaches young people how to do that too.

***Participant # 6:*** I think the benefits of restorative justice programs – the youth involved in the offence has a direct – youth involved in restorative justice programs get more out of the situation than going through a traditional juvenile justice system, and that I mean that it has a way of – without going through shaming the individual and then repairing them from the damage that he inflicted upon the individuals he committed a crime against. In traditional juvenile justice systems when the person commits a crime it's all about punitive – what can we do to lock this person up or, you know, get him out of society; when restorative justice, they kind of creates a way for that juvenile to be repaired from the damage he's committed upon his victims. I think in more description is that it has a way of repairing the person instead of just damaging. In traditional juvenile justice system, they just, basically, just punish instead of help rebuilding that person, and a restorative justice program helps that person understand what they've done and what they can do to try to make themselves better from it.

**Participant # 7:** The restorative justice program gives our youth more of a chance, more of an opportunity for – I guess rehabilitation, atonement, accountability, as opposed to the benefits of the juvenile system. They just, you know, go to court, see the judge, get sentenced.

So this gives them more of an opportunity. And once they do go through the regular justice system it usually ends up being repetitive. And the restorative justice program, I think, gives more – it's more like a second chance.

**Theme B.** By allowing the young individuals involved to speak and be heard without taking away their rights immediately, then the recidivism rates can be reduced

**Participant # 1:** In restorative justice, people get to speak directly with each other, people who have been involved and/or affected by a certain situation or incident. As opposed to having that power removed from them and taken over by judges and lawyers and such. So, the people get to be heard. They speak directly with each other. They get to come up with the solutions on their own. As opposed to traditional juvenile justice systems, where all that power is taken away from the victim and the offender and decided according to lots of different things, not necessarily what people want, or how people are gonna heal or how people are gonna benefit. Things like plea bargaining and probation before judgment, because we think a jury will find this young person guilty. So, lots of other factors that aren't necessarily beneficial to the participants.

**(More updated) Participant # 3:** OK. I think traditional juvenile justice systems are very outdated. I think they don't take into account or consideration the youth that are coming now. I think when most of the programs were put in place it was many, many years ago. And youth now are very different than how they were back then, obviously. I

think restorative justice programs – restorative justice programs take into consideration people where they are. So it's constantly changing and evolving. They're constantly taking from the actual people they're serving. They're not going from something that's been in place many, many years ago. So it's more about who – who is involved in the conflict or who's involved in whatever it is that's going on. It's not about just trying to keep things the way they always were.

I think that kids who go through programs like our own – they learn that they too have a voice. Not only are they learning about how they're affecting others; they get to voice what's going on with them. They get to actually say what's in their heart, what was in their mind, why they did what they did, and there's always background to every story. It's not always cut and dry. In the justice system, you don't hear stories; you just hear about whatever it is that someone's done. In restorative programs, you hear about what led them to that place, why they did what they did, and it helps them. When you speak something it helps you think about what it is you did. So I just think that gives them more of an advantage to understand themselves even – themselves and everyone else. The juvenile justice system doesn't. And I actually feel like in that system, some kids who aren't – who are on the verge of going bad or good – well, no – not good; but on the verge of going bad, if – when they come into contact with others who are already there, they actually go more towards that way.

## Appendix B: Second Level of Coding or Nesting

### Second Level of Coding or Nesting

The researcher then read and analyzed the grouped responses more carefully and in detail to see if they were organized and placed under the right themes. The researcher then made use of Microsoft Excel in order to count the responses of the participants, per theme and see which ones received the highest responses. These responses that received the highest were considered to be the main themes of the study (per research question) and the ones that followed them were then considered as the invariant constituents.

Figure 2 displays the photo of the actual Excel Sheet used.

	A	B	C	D	E	F	G	H	I	J	K	L	M
1			<b>NUMBER OF PARTICIPANTS IN THE STUDY</b>		7								
2													
3													
4			<b>Thematic Categories/Constituents</b>		<b># of occurrences</b>	<b>% of occurrences</b>	<b>P1</b>	<b>P2</b>	<b>P3</b>	<b>P4</b>	<b>P5</b>	<b>P6</b>	<b>P7</b>
5													
6			<b>Thematic Category 1: How the restorative justice programs for African-American males 12-17 reduce recidivism rates and lessen their in</b>										
7			By helping the young individuals involved realize their account		5	71%		1		1	1	1	1
8			By allowing the young individuals involved to speak and be he		2	29%	1		1				
9													
10			<b>Thematic Category 2: How the evidenced-based restorative justice programs for African American males 12 to 17 in an urban environmer</b>										
11			The evidence-based restorative justice programs allow both p		4	57%		1	1		1		1
12			Through the idea of altered and changed processes of the ev		2	29%	1			1			
13			Through the "home-based therapy" of the evidence-based res		1	14%						1	
14													
15			<b>Thematic Category 3: The descriptions of an effective/successful restorative justice program</b>										
16			The conferencing program is one effective and successful res		4	57%		1	1		1	1	
17			The "Fidelity Model" should be rebuilt and restored so that the		1	14%	1						
18			The feeling of belongingness with instilled values for the youth		1	14%				1			
19			The selection process should be modified as to who goes to th		1	14%							1
20													
21													

Figure 2. The sample photo of the actual excel sheet used

Through the results of the Thematic Categories and Constituents, the themes were then formed as the # of occurrences and % of occurrences determined the ones that received the highest responses per thematic category. Chapter 4 of the study presented the final process which was the repeated checking and questioning of the emerging themes (Marshall & Rossman, 1989). More specifically, the research conducted this in order to garner and present the sources of supportive evidence and ensure the quotations from transcript so that the readers will fully comprehend the study at hand.

## Appendix C: Agreement to Participate and Informed Consent

### **Agreement to Participate and Informed Consent**

You are invited to take part in a research study about restorative justice programs. The researcher is inviting the facilitators of the Community Conferencing Center (CCC) program in Baltimore to participate in the study. This form is part of a process called “informed consent” to allow you to understand this study before deciding whether to take part. This study is being conducted by a researcher named Johnny Brooks, who is a doctoral student at Walden University.

#### **Background Information:**

The purpose of this study is to understand the utility of restorative justice programs in reducing recidivism for African American males aged 12 to 17, in Baltimore City’s urban community.

#### **Procedures:**

If you agree to be in this study, you will be asked to:

- Participate in one interview session (1 hour duration)
- Approve the use of an audio recorder to document the interview for purposes of data collection

Here are the questions that will be asked during the interview:

- How do you describe the benefits of restorative justice programs versus the benefits of traditional juvenile justice systems?
- What do you perceive as the future of restorative justice programming in reducing recidivism for African American youth 12 to 17 in urban communities?

- What do you perceive restorative justice is during in urban communities for African American youth who come in contact with the justice system?
- How would you describe the feelings of victims after facilitating a restorative justice session?
- What do you perceive is the feelings of youth after participating in the restorative justice process?
- What do you perceive in evidenced-based restorative justice program that would be effective in traditional juvenile justice system?
- How do you describe the challenges of the restorative justice process in reducing recidivism of African American males 12 to 17 in urban communities?
- How do you describe your feelings after a successful restorative justice session?
- How would you describe a successful/effective restorative justice program?

**Voluntary Nature of the Study:**

This study is voluntary. Everyone will respect your decision of whether or not you choose to be in the study. No one at the Community Conferencing Center program will treat you differently if you decide not to be in the study. If you decide to join the study now, you can still change your mind later. You may stop at any time.

**Risks and Benefits of Being in the Study:**

Being in this type of study involves some risk of the minor discomforts that can be encountered in daily life, such as becoming upset. Being in this study would not pose risk to your safety or wellbeing. According to Hughes and Bostwick (2011), there is an excessively high presence of African American youth in the juvenile justice system,



compared to other ethnicities. The results of the study can be used to deepen understanding of the characteristics of successful restorative justice programs for African American males, aged 12-17, in urban communities. It also provides juvenile justice practitioners a method by which they can evaluate restorative justice program effectiveness in reducing recidivism rates, especially for young people of color in urban communities.

**Payment:**

Participation in this study is voluntary in nature, and no remuneration will be provided for participants.

**Privacy:**

Any information you provide will be kept confidential. The researcher will not use your personal information for any purposes outside of this research project. Also, the researcher will not include your name or anything else that could identify you in the study reports. All interviews will be audio recorded and transcripts made based on these recordings. Data will be kept secure by keeping all drafts and copies of files in a locked file cabinet, which only the researcher has access to. Similarly, all electronic files will be protected by a password that is known only by the researcher. Data will be kept for a period of 5 years, as required by the university, after which all paper files will be shredded and all electronic files will be deleted.

**Contacts and Questions:**

You may ask any questions you have now. Or if you have questions later, you may contact the researcher via 301-437-0725 and/or

[johnnybrooks55@yahoo.com](mailto:johnnybrooks55@yahoo.com)/[johnnybrooks55@yahoo.com](mailto:johnnybrooks55@yahoo.com). If you want to talk privately

about your rights as a participant, you can call Dr. Leilani Endicott. She is the Walden University representative who can discuss this with you. Her phone number is 612-312-1210 ext 3121210. Walden University's approval number for this study is 06-14-13-0272292 and it expires on June 13th, 2014. The researcher will give you a copy of this form to keep.

**Statement of Consent:**

I have read the above information and I feel I understand the study well enough to make a decision about my involvement. By signing below, I understand that I am agreeing to the terms described above and I consent to participating.

Appendix D: Walden University Approval Letter

**Walden University Approval Letter**

Dear Mr. Brooks,

This email is to notify you that the Institutional Review Board (IRB) has approved your application for the study entitled, "The Utility of Restorative Justice in Urban Communities for African American Males 12-17."

Your approval # is 06-14-13-0272292. You will need to reference this number in your doctoral study and in any future funding or publication submissions. Also attached to this e-mail is the IRB approved consent form. Please note, if this is already in an on-line format, you will need to update that consent document to include the IRB approval number and expiration date.

Your IRB approval expires on June 13<sup>th</sup>, 2014. One month before this expiration date, you will be sent a Continuing Review Form, which must be submitted if you wish to collect data beyond the approval expiration date.

Your IRB approval is contingent upon your adherence to the exact procedures described in the final version of the IRB application document that has been submitted as of this date. If you need to make any changes to your research staff or procedures, you must obtain IRB approval by submitting the IRB Request for Change in Procedures Form. You will receive confirmation with a status update of the request within 1 week of submitting the change request form and are not permitted to implement changes prior to receiving approval. Please note that Walden University does not accept responsibility or liability for research activities conducted without the IRB's approval, and the University will not

accept or grant credit for student work that fails to comply with the policies and procedures related to ethical standards in research.

When you submitted your IRB application, you made a commitment to communicate both discrete adverse events and general problems to the IRB within 1 week of their occurrence/realization. Failure to do so may result in invalidation of data, loss of academic credit, and/or loss of legal protections otherwise available to the researcher.

Both the Adverse Event Reporting form and Request for Change in Procedures form can be obtained at the IRB section of the Walden web site or by emailing [irb@waldenu.edu](mailto:irb@waldenu.edu):  
<http://researchcenter.waldenu.edu/Application-and-General-Materials.htm>

Researchers are expected to keep detailed records of their research activities (i.e., participant log sheets, completed consent forms, etc.) for the same period of time they retain the original data. If, in the future, you require copies of the originally submitted IRB materials, you may request them from Institutional Review Board.

Please note that this letter indicates that the IRB has approved your research. You may not begin the research phase of your dissertation, however, until you have received the **Notification of Approval to Conduct Research** e-mail. Once you have received this notification by email, you may begin your data collection.

Both students and faculty are invited to provide feedback on this IRB experience at the link below:

[http://www.surveymonkey.com/s.aspx?sm=qHBJzkJMUx43pZegKlmdiQ\\_3d\\_3d](http://www.surveymonkey.com/s.aspx?sm=qHBJzkJMUx43pZegKlmdiQ_3d_3d)

Sincerely,  
Jenny Sherer, M.Ed., CIP  
Associate Director  
Office of Research Ethics and Compliance  
Email: [irb@waldenu.edu](mailto:irb@waldenu.edu)

Fax: 626-605-0472  
Phone: 612-312-1341  
Office address for Walden University:  
100 Washington Avenue South  
Suite 900  
Minneapolis, MN 55401

Dear Mr. Brooks,

This email is to serve as your notification that Walden University has approved BOTH your dissertation proposal and your application to the Institutional Review Board. As such, you are approved by Walden University to conduct research.

Please contact the Office of Student Research Administration at [research@waldenu.edu](mailto:research@waldenu.edu) if you have any questions.

Congratulations!

Jenny Sherer

Associate Director, Office of Research Ethics and Compliance

Leilani Endicott

IRB Chair, Walden University

## Appendix E: Individual Interview Guide Questions

### **Individual Interview Guide Questions**

1. How do you describe the benefits of restorative justice programs versus the benefits of traditional juvenile justice systems?
2. What do you perceive as the future of restorative justice programming in reducing recidivism for African American youth 12 to 17 in urban communities?
3. What do you perceive restorative justice is doing in urban communities for African American youth who come in contact with the justice system?
4. How would you describe the feelings of victims after facilitating a restorative justice session?
5. What do you perceive is the feeling of youth after participating in the restorative justice process?
6. What do you perceive in evidenced-based restorative justice programs that would be effective in traditional juvenile justice system?
7. How do you describe the challenges of the restorative justice process in reducing recidivism of African American males 12 to 17 in urban communities?
8. How do you describe your feelings after a successful restorative justice session?
9. How would you describe a successful/effective restorative justice program?

## Curriculum Vitae

**Johnny Brooks****Education:**

Doctoral Candidate, Public Policy and Administration

Walden University, Minneapolis, Minnesota

Completion:

February 2014

Master of Public Administration, Public Management

University of the District of Columbia, Washington, D.C.  
2008

Bachelor of Arts, Administration of Justice

University of the District of Columbia, Washington, D.C.  
2006

Associate in Arts, Corrections Administration

University of the District of Columbia, Washington, D.C.  
2005

Associate in Arts, Business Administration

Strayer College, Washington, D.C.  
1981

**Employment:**

Department of Juvenile Services (DJS), Maryland  
Present

2008-

Food Administrator 1V (current position)

Responsibilities included:

- Administration, coordination, implementation, and evaluation of all planning, organizing, and directing of all

food service operation at several facilities in a regional capacity.

- Participate as a rotating On Call Administrative Duty Officer responsible for providing direction to all on-duty supervisory personal to ensure the detention center is properly managed.
- Contribute to the DJS Food and Nutritional sub-committee meetings which facilitated ongoing changes that enhanced food service delivery for youth and staff.
- Initiated, planned, and participated in meetings that facilitated continuing education required for ServSafe Food Protection Manager Certification for personnel.
- Supervise procurement of all food and supplies to comply with local, state, and federal regulatory guidelines.
- Monitor nutritional services food cost control measures in food procurement, food production, and food distribution at various locations.
- Ensure DJS nutritional services complied with federal Child Nutrition Program, and Hazard Analysis Critical Control Point (HACCP) guidelines.
- Administration and monitoring of the acquisition of food service equipment, and supplies at various DJS locations.



- Prepare emergency preparedness plan for the food service department in several locations that comply with DJS food and nutritional policy.

Montgomery County Detention Center (Maryland)  
2002-2008

Responsibilities included:

- Manage security and supervised inmate population within a food service environment at three Montgomery County Detention Center (MCDC) locations.
- Oversaw development and implementation of MCDC organizational procedures within a food service environment.
- Facilitate effective collaboration with a broad range of stakeholders in a demanding environment.
- Maintain quality standards of conduct and security, while enforcing discipline as needed, without compromising operations and/or the due process of the inmate population.

Thompson Hospitality (National Archives) Maryland  
1996-2002

Responsibilities included:

- Plan, organize, and direct all activities of the food service operation at the National Archives in College Park, Maryland.

- Facilitate menu-planning recommendations to Thompson Hospitality, Archives, and food service personnel as needed.
- Manage inventory and assess food service cost control measures, as well as implement innovative ways to improve food procurement, food production, and distribution.
- Supervision of all preparation and processing of purchase orders and requisitions initiated by the food service department at the National Archives.
- Prepare and administer the food service department's annual budget in keeping with Thompson Hospitality guidelines, in addition to local, state, and federal regulation.
- Plan employee scheduling to ensure effective food service delivery to all clients at the Archives.

Clifton T. Perkins Hospital, Maryland  
1993-1996

Responsibilities included:

- Manage security and supervise inmate populace within a food service environment for special need inmates.
- Monitor the food service operation for compliance with HACCP guidelines on a daily and weekly basis.

- Collaborative partnership with various stakeholders at the hospital on the behavior patterns and disposition of inmates as needed to assist with their evaluation.
- Participation in various managerial meetings with all departments to facilitate better service delivery for clients.
- Ensure collaborative partnership with all vendors and staff regarding expectation in maintaining high quality service.

**Accomplishments and Special Skills:**

Best Financial Performance Award Thompson Hospitality, 2001

Maryland Correctional Training Academy Distinguish Graduate, 2003

MCDC Wardens Outstanding Service Award Recipient, 2004

Certified ServSafe Instructor & Registered ServSafe Examination Proctor

Adult/Child CPR & AED Certification

**Professional Memberships:**

Pi Alpha Alpha National Honor Society for Public Affairs and Administration

American Society for Public Administration

Golden Key Honor Society