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An Analysis of Restorative Justice in Vermont: Assessing the Relationships Between the  
Attitudes of Citizens and the Practices of the Department of Corrections

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A thesis

presented to

the faculty of the Department of Criminal Justice and Criminology

East Tennessee State University

In partial fulfillment

of the requirements for the degree

Masters of Arts in Criminal Justice & Criminology

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by

Dustin Robert Melbardis

May 2012

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Keywords: Restorative, Justice, Attitudes

## ABSTRACT

An Analysis of Restorative Justice in Vermont: Assessing the Relationships Between the Attitudes of Citizens and the Practices of the Department of Corrections

by

Dustin Robert Melbardis

The purpose of this study was to examine the relationship between the attitudes of citizens in Vermont and the newly instated restorative justice programs of the Vermont Department of Corrections. To complete this task, 601 Vermont residents were contacted via telephone interview and asked a series of questions concerning their opinion about 3 restorative justice programs, namely reparative boards, the diversion program, and the furlough program. Bivariate analysis determined if a relationship exists between the dependent variables, restorative justice programs, and independent variables, demographic characteristics such as age and gender. Results of the analysis revealed several factors contributing to attitudes about the Vermont department of corrections, including opinions whether the courts can handle their caseloads, overall belief in the criminal justice system, and views about restorative justice programs. Future implications of these findings and recommendations for future study are also included.

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## CHAPTER 1

### INTRODUCTION

Restorative justice is an overarching theme in current criminal justice policy. This particular term refers to a mindset that focuses on the outcome of every actor involved in a crime. To elaborate, the victim, offender, and the community that the crime occurred in are all important factors that must be addressed. Restorative justice is an exciting new paradigm of criminal justice. The restorative justice movement seeks to reclaim the offender and repair the relationship with the victim and the community (Braswell, Fuller, & Lozoff, 2001; Doble & Greene, 2001) for repair, reconciliation, and reassurance (Roche, 2003, Zehr, 1990). The fundamental premise of the restorative justice paradigm is that crime is a violation of people and relationships (Latimer, Dowden, & Muise, 2005; Zehr, 1990). In order to better understand what restorative justice offers to the criminal justice system, these principles must move beyond theory and codified into legislation. Vermont adopted restorative justice policies into its criminal justice system in 1994, and after 3 years a survey was conducted to evaluate public opinion on the new practices. Using this information, it will be possible to better understand how the public views this phenomenon in criminal justice.

#### Background of the Problem

Current critics of the most dominant trends in criminal justice have noted that there is too much emphasis on the punishment of the offender, while the community, especially the victim, is neglected. This trend towards a more punitive system has been well documented and researched. The criminal justice system has evolved through several paradigm shifts that have concentrated on varied aspects of human psychology

and sociology. Incapacitation, rehabilitation, retribution, and deterrence have all rotated in and out of the public's eye as the appropriate champion of the criminal justice system. The current system focuses on the long-term incarceration of criminals, much more punitive in nature. There have been several attempts to create new legislation that does not simply lock away convicted criminals but that seeks to rehabilitate these individuals and release them back into society so that they can function in the real world.

The criminal justice system is an arbiter of government, which exists due to the social contract. The social contract is an "agreement" between all people to give up certain liberties and freedoms in order to more safely live together in harmony. As Hobbes said, people's lives would be nasty, brutish, and short if we did not abide by the rules that our civilization has laid out for us (1660). While all aspects of government are subject to the scrutiny of the public, the criminal justice system is more visible than others because of the direct and indirect impact that crime has on every citizen.

Public opinion towards government trends is crucial to understanding the origin of current policy. However, it will always be swayed by more than what the education system can provide or from what can be socially learned from "significant others", a term first coined by Sullivan (1953) to generalize those individuals who significantly alter the way one learns about the world. High-profile news stories like the Rodney King incident will elicit feelings that the system as a whole is too harsh or violent, though this incident has only to do with one faction of the criminal justice system, the police. The background of the death penalty seems to be completely retributive, though people believe it can act as a deterrent. After the 9/11 attacks, people were more willing to give up certain liberties in order to get tougher on the terror aspect in the criminal justice realm. There are a

myriad of other examples that show how easily the public's collective opinion can be swayed by disasters, accidents, and enacted policy, and understanding the way that the public learns about and reacts to these phenomena can help legislators sculpt laws and policies more reflective of the people they represent.

### Purpose of the Study

The purpose of this current study is to determine whether there exists a difference among the attitudes of citizens who have lived in a community that has emphasized restorative justice based on certain demographic factors. There have been several researchers who have lauded the ideas behind restorative justice, but until the Vermont Department of Corrections officially adopted the policies of restorative justice into its framework, there has not been ample opportunity to measure how the population felt about these practices. As outlined in the background of the problem, gauging the population's reaction to changes in the fabric of the justice system is necessary to better serve the American population.

The demographic factors that are examined in this study are age, gender, race, and education. Through past research on the differences between these characteristics in response to punitive measures such as the death penalty and early release programs, the importance of understanding demographic differences made itself apparent. Past opinion surveys on subjects such as early release programs and reparative boards are also examined. This demographic research provides the groundwork for predicting the differences between these groups.

When John Doble Research Associates and Judith Greene initially collected these data, they did an excellent job describing the results through univariate analysis and

computing frequency tables. This study is intended to expand on their research by analyzing relationships between the demographic variables and specific attitudes toward factors of the criminal justice system.

### Hypotheses

The purpose of this study was to test the following hypotheses regarding public opinion toward restorative justice practices.

H<sub>1</sub>: Public opinion about the court's caseload is not affected by demographic factors.

H<sub>2</sub>: Public opinion about the criminal justice system is the same regardless of demographic factors.

H<sub>3</sub>: Public opinions about restorative justice practices are the same regardless of demographic factors.

### Definition of Terminology

In the dataset there are particular practices that are referenced by the interview questions that are asked by the researchers. Before being asked about the respondents' attitudes towards three different restorative justice practices, all were asked whether they had heard about the program before. If they had, then they would then be asked a contingency question regarding their opinion towards it. This has important implications considering the nature of the way that information is absorbed by the subject of any study and the subsequent response on any questionnaire or survey. It was necessary in this research to ask opinions towards those who have heard about the programs before because any new information may have swayed the subject to respond in a manner more favorable to the information just acquired (Hutton 2005).

## Restorative Justice

Restorative justice has existed in many forms and has been referred to by many names throughout the world. In this study the entire scope of restorative justice will be reflected in three separate programs that have been adopted by the Vermont Department of Corrections. These three programs all focus on the time period after an offender has committed a crime and either occur after an incarceration period or divert away from incarceration as an option. These programs are reparative boards, diversion programs, and furlough programs.

## Reparative Boards

Reparative boards in Vermont are made up of various volunteers from the community who receive a small amount of training and orientation to the group dynamic, and then meet to discuss community-based sanctions for the offender. A reparative board has a different constitution of members based on different justice systems in different states. An offender is referred to a reparative board usually as a special type of probation in hopes of healing the damage to the community as well as focusing on the offender.

## Diversion Program

Diversion programs throughout the United States can have different mission statements and techniques, but the Vermont court diversion program's aim is to sentence certain offenders to less punitive sanctions in lieu of facing jail time or incarceration. Quite literally, the aim of this program is to "divert" or redirect an offender from a corrections facility toward less punitive options. It is important to note that in Vermont,

this program is only available to adults who have been charged with a first or second misdemeanor or a first nonviolent felony (3 V.S.A. § 164).

### Furlough Program

Furlough may have many meanings throughout the United States regarding the nature of how an offender is reintegrated into the community, but in Vermont this program allows an offender who has been incarcerated to enter the community before the sentence has been completed to assist the offender acclimating into normal, everyday life. Programs such as Vermont's furlough program have existed for nearly as long as any detention center and ease the transition between "institutionalization" and readjusting to living in the real world

### Limitations

The data were collected through random phone interviews, so one limitation is that citizens without a phone line were not considered. Given that one of the greatest predictors of crime is socioeconomic status, it would be prudent to include members who may not be able to afford phone service, though random phone surveys have been a standard research method for years.

The determination of the questions asked and the variables that were decided upon were completely in the hands of John Doble Research Associates and Judith Greene when they did their focus group sessions and phone interviews. Because the levels of measurement range from nominal to ordinal there are several statistical analyses that are not possible. Specifically, "age" and "last year of school completed" could be better measured at the interval or ratio level. If these variables were collected without grouping responses into categories, then more information could be drawn from these variables.

Another interesting limitation is the race and ethnicity demographic of those who responded to the phone interviews. Of the 601 subjects, there was not a single African American. Ninety-five percent of the responders were White and 5% were Hispanic, Asian, or other. There was a small percentage that chose not to respond to this question. This clearly shows that based on racial diversity, Vermont is a fairly atypical state.

Originally, bivariate statistics were run for the variable race, though after consideration of racial representativeness, these statistics were not expanded upon. An attempt to control for this was carried out by the original researchers through random sampling, but the sample still failed to contain the diversity represented in the full population. Because race is an important issue in criminal justice, prior research is still provided about race as a variable, but results, analysis, and discussion will be abbreviated due to this data limitation.

## CHAPTER 2

### LITERATURE REVIEW

Restorative justice is an exciting new paradigm of criminal justice. The restorative justice movement seeks to reclaim the offender and repair the relationship between the victim and the community (Braswell et al., 2001; John Doble Research Associates & Greene, 2001) for repair, reconciliation, and reassurance (Roche, 2003; Zehr, 1990). The fundamental premise of the restorative justice paradigm is that crime is a violation of people and relationships (Latimer et al., 2005; Zehr, 1990). There are several different programs that have evolved from the restorative justice movement, and they all share a “common core”, addressing meso-level community outcomes by restoring victims and communities (Karp & Clear, 2000). Forty-one states now articulate restorative justice in one or more policy documents. More specifically, restorative justice principles are included directly in statutes or juvenile codes in 19 states, in administrative policy statements in 23 states, and in mission statements in 32 states (Bazemore & O’Brien, 2005).

Communities are directly and indirectly victims of crime (Boyes-Watson, 2004). The sense of community is what makes stable society possible (Braswell et al., 2001). State agencies are inclined to address the offender through different means of punishment, though the community is neglected in most criminal justice systems. The goals of restorative justice address the harm that has been committed toward the victim and the rest of the community. The criminal justice system is unsatisfying in giving people a sense that crime is being dealt with in an effective manner (Braswell et al., 2001). Restorative justice contains the means through which the community can gain more

confidence in the criminal justice system. Restorative justice is about healing the harm done to victims and communities as a result of criminal acts while holding offenders accountable for their actions (Schiff, 1998; Van Ness & Strong, 1997; Zehr, 1990). The main objective for the community is to hold the offender accountable while providing assistance to encourage and support reintegration of both parties (Bazemore & O'Brien, 2005). Certain facets of the criminal justice system contain traces of a restorative mindset even though the system as a whole may be considered more retributive. When implemented in a manner consistent with restorative justice principles, restitution seeks to restore the victim and the community to the state of wholeness that existed prior to the offense (Schiff, 1998).

The restorative justice movement has effects throughout the American justice system and continues to gain momentum (Bazemore & O'Brien, 2005; Richards, 2011). These effects, programs, and policies are important and have been implemented piecemeal throughout the different statutes countrywide. The restorative perspective is far from prevailing over the punitive mainstream. In most instances these programs are just options, and are not used enough to be effective community-wide.

#### Measuring Punitive Attitudes

There is not a vast amount of data available for studying public opinion toward restorative justice practices; therefore, it is important to examine other measures of public perception of how punitive the system is. To meet this need, with regards to each of the four independent demographic variables, public opinion on perhaps the most retributive of punishment options, the death penalty, has been examined.

Public opinion research has consistently shown a gender gap in support for the death penalty, that males are more likely to support capital punishment. For example, the Gallup Poll, during the 17 years that data were collected between 1980 and 2002, there was approximately an 11% difference in support between men and women, reprinted in the Sourcebook for Criminal Justice Statistics (2003). In 2009 there was an 8% difference between men and women, but the year before it was as high as 14% (Sourcebook 2008; Sourcebook 2009). In reference to the punitive aspect of the male gender, support for the death penalty has been found to be higher among males (Young, 2004). More specifically, a survey study in 1997 produced an 80% support of the death penalty among males against a 65% support of the death penalty among females (Applegate, Cullen, & Fisher, 2002; Whitehead & Blankenship, 2000). According to these findings females were less supportive of capital punishment than were males on global measures (Whitehead & Blankenship, 2000). Furthermore, Shapiro and Mahajan reported that women tend to oppose issues involving force or violence, in this instance the death penalty, and support compassionate policies for disadvantaged groups (1986). The consistency of this trend over several years would suggest that males are more punitive in their attitudes compared to females.

Race has always been a distinguishing factor in support for the death penalty in the United States (Bohm & Vogel, 2004), namely that African Americans are less supportive than Whites. These two authors focused mainly on the differences between Whites and African Americans in their discussion. They attribute the reason for the difference in support to the widely known record of racial discrimination historically in the United States, as well as racial discrimination in the administration of the death

penalty (Bohm & Vogel, 2004; Unnever & Cullen, 2010). This discriminatory attitude may be reflected in other races though these authors did not examine this possibility. To delve further into the impact that this research has in measuring punitive differences based on race, the questions that were asked by these researchers revealed significant attitudinal responses. According to Bohm and Vogel's research, White people were more likely to agree that "society has a right to revenge when a very serious crime like murder has been committed, the death penalty is a more effective way to prevent murder than a sentence of life imprisonment, in some cases, imprisonment is simply not a good enough safeguard against the future actions of a criminal, and that the Bible supports the death penalty" (2004). The differences in attitudes between White people and African Americans have not only remained constant, but have been substantially large, typically between 25 and 30 percentage points (Unnever & Cullen, 2010). The consistency of these findings suggests a difference in punitive attitudes between different races, with White people holding a more punitive stance.

Interestingly enough, the results of Bohm and Vogel's study were focused around whether support for the death penalty changes after the subjects went through a death penalty education course. Their findings in terms of education were revealing. Despite their limitations, Bohm and Vogel conclude that "classroom knowledge" might not prove effective in changing death penalty opinions in the long run (2004). The wording is important here because they found that opinions were malleable during the course and that support declined immediately after the course was finished. However, when they followed up with these students after the study, they regained their original support of the death penalty. These authors attribute this to the current mindset of criminal justice

officials (2004). Punitive attitudes have been researched in regards to education before, particularly for the death penalty, where those with less than high school education typically have more support for the death penalty (Young, 2004).

Aside from attitudes toward the death penalty, there is also literature that examines demographic differences in fear of crime. Age and gender have been shown to significantly affect fear of crime and victimization, with an increase in age resulting in a higher fear of crime, and females fearing crime more than males (Rountree & Land, 1996; Scheider, Rowell, & Bezdikian, 2003). Age has substantial explanatory power in an individual's fear of crime, while gender has been described as the most consistent predictor of an individual's level of fear of crime (Cops & Pleysier, 2011). It has been shown in the literature that the elderly are more fearful of crime, when younger people are more often victimized by all types of crime (Lane, 2009). Part of the reason that youths are vulnerable to victimization is the higher likelihood that these age groups associate with offenders who are also youthful (Lane, 2009). Attitudes toward fear of crime may affect the way that these different groups of people feel about the entire criminal justice system. Age sometimes does not come into play as a prominent predictor of fear of crime until adolescents have been socialized into becoming "fearful women" or "fearless men" (Cops & Pleysier, 2011). Women are shown to be more fearful of crime, though sexual assault and rape are the only crimes where women are victimized more than men (Brunton-Smith & Sturgis, 2011; Cops & Pleysier, 2011; Hilinski, 2009; Tillyer, Fisher, & Wilcox, 2011). Race was also found to be influential in fear of crime, with African American people fearing crime more (Rountree & Land, 1996; Scheider et al., 2003), and as individuals had more years of education, their fear of crime decreased

(Scheider et al., 2003). Research on differences in race and fear of crime are conflicted, as some research has shown that White people suffer less fear of crime (Lagrange, Ferraro, & Supancic, 1992), while others found that non-Whites suffer less fear of crime (Rountree & Land, 1996).

## Restorative Justice Programs in Vermont

### Reparative Boards

Reparative boards offer an alternative to traditional prison sentences and probation practices. In minor nonviolent cases, the judge has the option to sentence the offender to probation under the condition that the offender meets with a reparative board (Karp & Drakulich, 2004). Reparative probation is implemented by a “Reparative Coordinator” on the staff of the Department of Probation (Schiff 1998). The board itself is composed of trained citizen volunteers who discuss the impact of the offense with the offender and work with the offender to create a restorative solution (Karp and Drakulich, 2004; Schiff, 1998). Victims and affected parties are invited to attend these meetings. After a consensus among the reparative board members is reached, typically between 35 and 40 minutes (Karp & Drakulich, 2004), the offender may leave. In Vermont, volunteers have parameters, just as judges have sentencing guidelines, but their decisions about the sanctions are not merely recommendations to the court and are put into effect without judicial review (Karp & Drakulich, 2004). They typically return upon mid-point and completion of the restorative solution; those who fail to comply are in violation of their probation (Karp & Drakulich, 2004).

The commissioner of the Vermont Department of Corrections, John Gorczyk, and the Director of Planning, John Perry, agreed that the “customer” of these services is not the offender or the victim but the public (1997). Based on this argument, they argued that the public should be a “stakeholder” in the outcomes of these programs (Perry & Gorczyk, 1997). They were not in the prison or probation business alone but providing public safety, offender accountability, victim reparation, building healthy communities empowered to control their own justice processes and dispute resolution strategies (Perry & Gorczyk, 1997).

Reparative boards in Vermont create dialogue between key stakeholders to negotiate restorative agreements between all parties involved in a crime (Karp & Drakulich, 2004). These stakeholders are victims, offenders, and members of the community. Participating decision-makers seek outcomes that provide concrete benefits to victims, offenders, and the communities in which they live (Karp & Drakulich, 2004). Vermont’s reparative boards exemplify restorative justice principles, though they were developed independently from the worldwide movement that has since grown in influence (Karp & Drakulich 2004).

### Diversion Program

The mission of Vermont court diversion programs is to engage community members in responding to the needs of crime victims, the community, and those who violated the law, holding the latter accountable in a manner that promotes responsible behavior (Farrell, 2011). The diversion program had been an option for juvenile offenders before the Vermont Department of Corrections implemented the program for adults. It was designed to be operated through the juvenile diversion project and designed to assist

adults who have been charged with a first or second misdemeanor or a first nonviolent felony (3 V.S.A. § 164). Around the world policies that divert first time or minor offenders away from the courts have been sporadically implemented into criminal codes, and the movement toward making these policies available to adults is underway (Richards, 2011).

Vermont's Court Diversion program was established 30 years ago to divert youth out of the court system. Within 2 years it was expanded to include adult offenders. Vermont Court Diversion follows a restorative justice approach; the program's mission is to “engage community members in responding to the needs of crime victims and the community, while holding those who violated the law accountable in a way that promotes responsible behavior” (Underage Drinking 2010). The Vermont Diversion program has been redirecting youths to a Teen Alcohol Safety Program as an alternative to the traditional court system, and the state has seen a drop in alcohol-related traffic fatality rates in part due to this program (Underage Drinking 2010).

### Furlough Program

According to the Vermont Department of Corrections, reintegration furlough is “a furlough prior to the completion of the minimum sentence to prepare an incarcerated offender for re-entry into the community” (28 V.S.A. Chapter 11, § 808) The Vermont Department of Corrections states that the purpose of such a program is to assist in the preparation of inmates for successful re-entry into the community (28 V.S.A. Chapter 11, § 808). The short history of furlough begins with Captain Alexander Maconochie at the prison colony of Norfolk Island in the 1840s, the temporary release scheme, also known under terms like “release on temporary license” and “furlough,” creates short periods of

time spent away from the prison establishment, usually granted when an offender is close to the end of his or her prison sentence (Cheliotis, 2009).

Major benefits ascribed to furloughs by inmates include restoration of human relationships and the building of bonds with people outside of the system, the testing of community acceptance, relief from the strains and discomforts of imprisonment, and relearning the social norms of everyday civilian life (Toch, 1967). The renewal of hope and future perspective, opportunities for making practical arrangements to return to the community, and an increase in self-confidence manifest during these furlough trips (Toch, 1967). The principal liabilities of the furlough experience as seen by the inmate relate to the return to prison and the problems of readjustment after return (Toch, 1967). The reality of spending every hour of the day within the confines of an institution may seem harsher after spending time outside the walls.

Some institutions use a work furlough program, which is sometimes known as “work-release”. A work furlough program permits selected inmates to work in the community during the day and to return during their nonworking hours to the institution. In theory, therefore, work furlough represents a mid-point between incarceration and probation (Jeffery & Woolpert, 1974). Work furlough programs are another example of restorative justice principles implemented into the framework of an otherwise punitive system.

The cost of keeping people in prison has been a recent hot-button political issue. In 2001, The United States Department of Justice estimates that it costs \$22,632 to keep an inmate in prison for a year, among facilities operated by the Federal Bureau of Prisons (Stephan, 2004). Work furloughees assume a share of the administrative costs of the

program, repay outstanding fines and debts, support their families, and return to society in better financial shape than inmates released from total incarceration. Thus, work furlough is a method by which selected offenders may be better integrated into the community without increased risk to the community and at a measurable savings in cost to the community (Jeffery & Woolpert, 1974). Using funds generated by savings from shortening prison terms for all offenders, crime reduction efforts can instead attempt to remedy social and economic problems (Irwin & Austin, 1994).

### Independent Variables

Each of the four demographic variables used in this study have been examined in prior research regarding opinion toward restorative justice practices or reflected in how punitive each has been measured in the past. For instance, when it comes to differences in beliefs about convicting an offender, an absolutist orientation (in this case, a tendency to put faith in obedience to rules) toward obedience to law was shown to be more characteristic of females, older respondents, and those who are not educated beyond high school (Young 2004). Based on what a conviction usually entails, these results may differ in a restorative justice environment. Many other studies focus on the demographic differences. This section outlines the differences observed in attitudes toward restorative justice practices as well as other attitudes that contribute toward support for a restorative mindset.

### Race

Racial prejudice is an important factor in determining support for more punitive measures in the criminal justice system (Young, 2004). To elaborate on the information in the previous section on Measuring Punitive Attitudes, racial and ethnic attitudes

translate from death penalty attitudes to punitive attitudes very well. According to Unnever and Cullen recent surveys in the United States suggest that the “effects of racial–ethnic intolerance are not specific to the particular sanction of the death penalty but potentially underlie an orientation supportive of a more general “get-tough” approach to crime control” (2010).

There is evidence that more White offenders are sent to programs that use restorative justice principles, which may create a feeling of discrimination by minorities (Dowler, 2003; Schiff, 1998). Compliance and recidivism rates based on sociodemographic factors create a need to measure the difference in how people of different races and ethnicities perceive these programs. If such findings indicate discrimination on the part of justice system decision makers, programs must work to minimize it (Schiff, 1998) so that public opinion about these programs can improve. According to Gallup, Inc. polls reprinted by the Sourcebook for Criminal Justice Statistics, 60% of Whites support attacking social problems, while 73% of non-Whites support that same option (2010). To further this difference, the Gallup poll also differentiated between Whites and African Americans, of which 85% supported attacking social problems (2010). According to an ordinary least squares regression by Dowler, African American respondents are more likely to hold nonpunitive attitudes (2003). According to this study by Dowler race was the strongest predictor of punitive attitudes, followed by education.

### Gender

Gender differences exist in many social issues. Because problematic social relationships are more clearly implicated in delinquency causation for girls than for boys,

the relational focus of restorative justice practice shows a great deal of potential in the response to female delinquency (Bazemore & O'Brien, 2005). Along with this support, results of a 2009 multivariate regression analysis attempting to find relationships with guilt, shame, and empathy determined that females are more likely to benefit from restorative justice programs (Jackson, 2009).

This mindset is not shared by all researchers studying restorative justice, as women may be more inclined to reject the notions of restorative justice in cases of domestic violence. It is possible that the more punitive measures such as incarceration are more favorable for a percentage of women. Beyond domestic violence, in reference to gender differences in support for different types of punishment, women may favor more punitive attitudes in order to protect potential victims, in the name of deterrence of incapacitation (Applegate et al., 2002). Conversely, in order to minimize harm, women might be oriented toward less punitive attitudes, preferring preventative crime policies and building stronger communities (Applegate et al., 2002). Along with this research, 86% of women support community alternatives to prison according to trends in England (Allen, 2008).

Gender bias has been identified as one of the inherent barriers to successful implementation of a restorative justice system (Stout & Salm, 2011). The reason for this hindrance is the presence of emotion in the administration of justice in relation to the interpersonal relationships shared among members of the community.

According to sociological theorists socialization plays a prominent role in the creation of norms, values, and behaviors in different circumstances within society. In addition, we are conditioned into gendered roles and responses (Leonard & Kenny, 2011).

Differences in attitudes among gendered roles are part of society, which is clearly going to impact the way that men and women perceive the restorative justice programs in Vermont.

### Education

In this study education of the 601 respondents is measured through asking the question, “What is the last level of education you completed?” It is important to note the difference in the usage of the term education in prior research. For instance, education in the original data set was based on grade school completion, college, and postgraduate work. This differs from the way that many researchers approach the question of education, which is typically based on how much knowledge the respondent or subject has about that particular issue. This is reflected in this study’s use of contingency questions to evaluate opinions on the three restorative justice programs in Vermont. According to an ordinary least squares regression by Dowler, respondents with college education are more likely to hold nonpunitive attitudes (2003). To explain these results, “those with education may be more likely to recognize the inequalities of the justice system and determine that solutions to the ‘crime problem’ may be better served by policies of reintegration or rehabilitation” (Dowler, 2003).

Restorative justice is not the dominant paradigm in such a punitive climate. Because the public does not have proper education about restorative justice policies, restorative justice suffers from the public’s ignorance (De Mesmaecker, 2010). According to the Sourcebook for Criminal Justice Statistics’ reprint of the Gallup Poll, a positive relationship can be seen between the variable “education” with supporting attacking social problems (2010). Seventy-two percent of those polled with postgraduate

education support attacking social problems, while 62% of high school graduates or those with less education supported this method. This mindset provides evidence toward differences in support for restorative justice practices based on education.

“Providing information” on restorative justice programs or community related punishments is tantamount to the progress that the restorative justice movement has made. “Providing information” is education in its pure form and suggests that education is important in determining what stance a respondent will take in support for restorative justice policies. The Local Crime Community Sentence project has shown that providing information to the public can succeed in influencing the attitudes of the public towards the appropriate sentence for particular cases (Allen, 2008).

### Age

Age is a victim characteristic that influences the way people feel about the punishment handed down (De Mesmaecker, 2010); therefore, the necessity to examine attitudes among different age groups presents itself. Age is also an interesting variable as described by the data collected by Gallup, Inc. in the Sourcebook for Criminal Justice Statistics, which shows that as the respondent’s age went higher so did the support for more law enforcement (2010). Seventy-seven percent of 18 to 29 year olds supported attacking social problems, 69% of 30 to 49 year olds supported this way as well, and the age groups older than these linger around 56% in support. More law enforcement remained a minority in all age groups, but it is clear that age makes a difference in the opinions of these respondents. Given these differences in public opinion based on age, restorative justice attitudes may be influenced by age as well.

### Why Vermont?

Americans do not identify with Vermont as being a crime-ridden state, which is accurate, because Vermont has a relatively low crime rate (Karp & Drakulich, 2004). Around the world, in countries as diverse as South Africa, Australia, Japan, the United Kingdom, Canada, and a number of European countries, restorative justice has been codified in policy and law (Bazemore & O'Brien, 2005). Vermont was one of the first states to work toward creating laws that truly embrace restorative justice (28 V.S.A. § 2a. Restorative Justice). Vermont is a key state in the progress of restorative justice in the United States. While restorative justice was getting its start around the world early in the 1990s in places such as Australia and New Zealand, Vermont was one of the first states to attempt integrating this practice into the criminal justice system (Schiff, 1998).

### Conclusion

Group-based conflict theories argue that public opinion is shaped by competition over status, power, and material rewards among different groups of people (Unnever & Cullen, 2010). Though much of the data on race examines the difference between Whites and African Americans, Unnever and Cullen's research shows that differences in attitudes based on race and ethnicity stem from powers in charge and minorities. Therefore, any minority in the United States can be subject to this discrimination. Though Vermont does not have a large African American population, the existence of a majority and minority created the opportunity for differences based on race. The examination of race in the literature shows that there are opportunities to examine differences between different racial groups.

The gender gap seen in America has been well researched. Social scientists have noted, “for more than six decades, political scientists have devoted considerable attention to differences between men and women in policy preferences and voting behavior” (Applegate et al., 2002). This gap creates a need to understand the difference between different groups as well as why these differences exist. Differences in the level of education can also be indicative of support for aspects of the criminal justice system, especially punitive attitudes, while age also affects perceived neighborhood problems (Dowler, 2003).

Every facet of restorative justice examined in this study and the independent demographic variables have been studied in prior literature. However, due to the relative youth of the restorative justice movement, the relationships between age, gender, race, and education and the restorative justice programs in Vermont are not as tested as some other paradigms in criminal justice. By pulling together research on retributive measures like the death penalty and examining demographic differences in fear of crime groundwork has been laid to examine these differences in a restorative justice environment.

## CHAPTER 3

### METHODOLOGY

#### Population

The purpose of this study is to distinguish how citizens think about certain issues pertaining to restorative justice after years of living within a system that focuses on it. It was of utmost importance that the population of those in the study was familiar with a criminal justice system that incorporates restorative justice practices into its framework. The state of Vermont made a conscious effort towards becoming more proactive in its championing of restorative justice, so the initial researchers conducted their data collection there. The population of this study consists of Vermont residents at the time of data collection who were contacted through a telephone interview.

Through this study it was possible to ascertain public opinion about a number of restorative justice practices. These opinions show the confidence that Vermont citizens have in the ability for courts to handle their caseload, the reparative board system, the furlough system, the diversion program, and the criminal justice system overall.

#### Data

The data that were used for this study was originally collected and compiled by John Doble Research Associates and Judith Greene, maintained and distributed by the National Archive of Criminal Justice Data, the criminal justice archive with the ICPSR. The dataset is accessible through the University of Michigan's Inter-University Consortium for Political and Social Research website. The title of the dataset is Attitudes Toward Crime and Punishment in Vermont: Public Opinion About an Experiment with

Restorative Justice, 1999 (John Doble Research Associates & Greene, 2001). This study was the second step in the Vermont Department of Corrections plan to not only introduce restorative justice programs into the fabric of Vermont criminal justice but also to evaluate how well the system worked and was perceived to work by the public. “The purpose of this project was to update the 1994 benchmark findings, to assess public attitudes about the reforms and changes that had been instituted, and to explore the possibility of the expansion of the responsibilities of the reparative boards” (John Doble Research Associates & Greene, 2001).

### Sample

The sample used for this study came from the work that John Doble Research Associates and Judith Greene did for the state of Vermont after 3 years of using restorative justice practices. The attitudes of the public when it comes to how those who have committed crimes are treated are instrumental in determining what policies are created through legislature. The total sample included 601 participants, with the majority of these respondents answering the majority of the questions.

Any identifying factors involved in contacting the individuals were not recorded, and the interview did not include any identifying information in hopes of keeping the citizens who responded to the interviews anonymous.

### Sampling Method

The sampling method for this study was probability sampling, and employed a simple random sample strategy. Every member of the Vermont population who had a telephone had an equal chance of being selected.

### Administration Method

The researchers conducted a telephone survey of a new sample of 601 adult residents of Vermont. The interviewing was conducted in the evening, from 5:30 to 9:30 p.m. on March 15-21, 1999. The respondents were asked a series of questions coming from the initial questionnaire from 1994 about the state of Vermont's Department of Corrections, and from a revised questionnaire formed from working with four focus groups conducted by the researchers and from the results of Judith Greene's research in 1998. The survey was pretested twice to gauge the length and understandability, each time with 10 random Vermonters selected.

### Response Rates

The response rates for the questions asked over the telephone differed greatly per question. There are a few examples of contingency questions that greatly affect the response rates of this study. For instance, before the respondent was asked about overall opinion of reparative boards, the respondent was first asked if he or she had ever heard of reparative boards. Depending on the topic, response rates ranged from 56 out of 601 (9.3%) to 582 out of 601 (96.8%).

### Variables

#### Dependent Variables

This study analyzes whether attitudes toward restorative justice are affected by demographic factors. The dependent variables in this study that measure attitude toward restorative justice are overall opinion of the criminal justice system, overall opinion of reparative boards, whether the courts have too many cases to handle effectively, overall

opinion of diversion programs, and overall opinion of the furlough program. With the four variables that measure the opinion of the respondent, the responses were coded dichotomously, namely, “agree” or “disagree” with an option for “not sure/don’t know”. For the Chi square analysis, the not sure/don’t know option was not included. The question about the courts having too many cases was measured with five options, with varying degrees of magnitude for how strongly the respondent agreed or disagreed with the statement. This variable was recoded with two dichotomous responses, either that the respondent agreed or disagreed, with the option for not sure/don’t know removed from the analysis. Each of these variables was coded nominally.

### Independent Variables

The independent variables for this study are gender, age, race, and education. The data on gender was originally collected as a nominal dichotomous variable; age, race and education were collected as categorical variables with multiple categories. Race was collapsed into a dichotomous variable considering that there was an overwhelming majority of White respondents and the low number of minority respondents in separate groups created a problem with the Chi-square analysis. The other race and ethnicity categories were collapsed into one category, “Non-White”. Statistical analyses are run for race but are not discussed in the findings based on the homogeneity of the sample. Education was collected as an ordinal variable with several options; however, three of the initial seven categories were condensed due to low responses, those being “less than sixth grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “some high school”. These categories were condensed into a category “less than high school”.

## Analysis

### Hypotheses

The purpose of this study was to test the following hypotheses regarding public opinion toward restorative justice practices.

H<sub>1</sub>: Public opinion about the court's caseload is not affected by demographic factors.

H<sub>2</sub>: Public opinion about the criminal justice system is the same regardless of demographic factors.

H<sub>3</sub>: Public opinions about restorative justice practices are the same regardless of demographic factors.

The first hypothesis is a measure of how the public believes the criminal justice system works. As John Doble Research Associates and Greene initially intended this research to show, there is a disconnect between what the people think about their criminal justice system and how things actually work. This first hypothesis is meant to test the differences between how members of different gender, age, race, and educational backgrounds perceive one of the problems that faces the court system today. It is also an important factor in determining the importance of reparative boards as an alternative to the traditional court system. The second hypothesis is meant to test the differences between the aforementioned demographics in how each different group perceives the criminal justice system. While this question in the original research is fairly straightforward, it should be remembered that Vermont is unique in its adoption of several restorative justice practices statewide. The final hypothesis tests whether there are differences in public opinion about three different restorative justice programs that had

been implemented into the Vermont Department of Corrections. These include the reparative board system, diversion program, and the furlough program.

### Method of Analysis

Due to the structure of the initial data collection, Chi square analysis is the most appropriate form of analysis to inspect these variables. Variables such as age and education level could have been collected at the interval or ratio level; however, the structure of the questions only allowed for the data to be collected in ordinal measures. Variables like gender and race are naturally nominal and not subject to any other mode of analysis without arbitrarily dummy-coding.

Cross-tabulation is the most efficient method toward analyzing the Chi-square test for significance. The significance level chosen for this study is 95%, which corresponds to an alpha level of .05, which effectively states that if the null hypothesis is in fact true, by chance the observed values from the cross-tabulation would occur 5 times or less every 100 attempts. The Chi-square test was applied in order to see statistical significance, but in order to obtain meaningful substantive significance, the Phi, Cramer's V, or Gamma coefficient was examined to show the strength of the relationship. These coefficients use the same scale to determine if there is a small (less than .30), medium (.31 to .50), or strong (greater than .51) relationship between the two variables (Cohen, 1988).

### Summary

This study examined how public opinion is affected by four demographic variables, though asking questions about restorative justice programs. Vermont is where this information was collected due to its implementation of restorative justice practices as

well as the Vermont Department of Correction's interest in following up on how the population would react toward these reforms. While the initial research by John Doble Research Associates and Greene examined a disconnect between what people perceived about the criminal justice system and the actualities of how it operates, the data that they collected have much more value to offer in terms of demographic differences in public opinion. Through cross-tabulations the relationships between the independent demographic variables and the restorative justice-based dependent variables are analyzed for statistical significance using Chi-square, and Phi, Cramer's V, and Gamma were used to measure the strength of the significant relationship.

## CHAPTER 4

### RESULTS

In order to analyze the relationship between the demographic independent variables and the restorative justice dependent variables, 20 separate cross-tabulations were created. Due to the nominal and ordinal nature of these variables, the Chi-square statistic for each of these tables was calculated. If the Chi-square statistic showed significance at the .05 level, then the Phi, Cramer's V, or Gamma statistic was then used to determine substantive significance.

#### Bivariate Analysis

With the data the original researchers collected, they failed to analyze most of the relationships between variables, instead opting to display a plethora of descriptive statistics like percentages and averages. Using these data, it was simple to use bivariate statistics to analyze the relationships between the demographics of Vermont and how they view the practices of restorative justice.

The following tables display the relationships between the independent and the dependent variables using the Chi-square statistic to determine independence and either the Phi, Cramer's V, or Gamma statistic to determine the strength of the relationship. In the following tables the observed frequencies show what the public believes about certain restorative justice practices as determined by demographic differences in the sample. The expected frequencies represent what the relationship would be like if the null hypothesis is true. Even if the null hypothesis is true, it is safe to assume that by chance alone, there could be a difference between what is expected and observed. To correct for that, the Chi square statistic must be large enough to reject the null hypothesis at a significance level

of .05 or less, which is the generally accepted research level for the social sciences. Quite literally, this means that if in fact the null hypothesis is true working at an alpha of .05, then by chance alone we would see this relationship no more than 5 out of 100 times.

In the following tables any relationship that returns a Chi-square value with a p-value less than the alpha of .05 is then subjected to Phi, Cramer's V, or Gamma analysis for substantive significance. All three of these tests determine if there is any strength to the relationship. The Phi coefficient is used with tables between two dichotomous variables, creating a 2x2 table. The Cramer's V coefficient is used when the table is larger than 2x2, assuring that there is one variable with more than 2 categories. The Gamma coefficient is used when direction must be determined for ordinal data. All of these statistics fall between 0 and 1, with statistics falling  $\leq .30$  considered small or weak, between .31 and .50 considered a medium relationship, and  $\geq .51$  considered large or strong (Cohen, 1988).

The race statistics are reported in this chapter but require one caveat. There were only 13 non-White respondents; approximately 2.16% of the sample. This low number of non-Whites makes it impossible to draw reliable inferences about true White vs. non-White differences in the population. However, this report includes race results for the sample due to the importance of race as a demographic variable in issues pertaining to crime and justice. Future research in Vermont should use sampling strategies that ensure a large enough sampling of non-Whites to allow for valid and reliable statistical inferences.

## Race and Caseload

Does race affect whether one believes that the courts have too many cases to handle effectively? To answer this question, the variables that were compiled by the original researchers were collapsed into dichotomous categories. The race variable was collapsed into White and Non-White, with “Non-White” comprising of “Hispanic, Asian, and Other”. The original variable measuring how strongly the respondent agreed towards whether the courts could handle cases effectively was measured with 1 = strongly agree, 2 = somewhat agree, 3 = somewhat disagree, 4 = strongly disagree, and 5 = not sure/don’t know. These responses were collapsed into either agree or disagree, with the response “not sure/don’t know” removed. Four hundred seventy-eight respondents answered this question. Results are shown in Table 1. After examining the percentages within race, one can see that while White respondents leaned heavily toward agreeing that the courts had too many cases to handle (87.4%), non-White respondents tended to disagree (55.6%).

The Pearson’s Chi-square statistic for these data is 10.602, which was significant at the .001 level. This means that if the experiment were run a thousand times, this result would occur once in a thousand attempts if in fact the null hypothesis was true. After obtaining statistical significance, the Phi coefficient of .172 shows that there is a small relationship between these two variables.

Caution should be taken when evaluating these results because of the low expected frequency visible by non-White respondents who disagreed that there were too many cases for the courts to handle. However, after applying Yate’s correction in Table 1, the significance for the obtained Chi-square statistic was still .001.

Table 1.

*Race and Caseload*

Too Many Cases to Handle Effectively?		Race		Total
		White	Non-White	
AGREE	Count	410	4	414
	Expected Count	406.2	7.8	414.0
	% within Race	87.4%	44.4%	86.6%
DISAGREE	Count	59	5	64
	Expected Count	62.8	1.2	64.0
	% within Race	12.6%	55.6%	13.4%
Total	Count	469	9	478
	Expected Count	469.0	9.0	478.0
	% within Race	100.0%	100.0%	100.0%

$\chi^2 = 10.602$  after Yate's Correction; p-value = .001

Phi = .172

1 cell (25%) has expected count less than 5. The minimum expected count is 1.21.

Race and Criminal Justice System

Does race affect how one rates the criminal justice system overall? To answer this question the variables that were compiled by the original researchers were collapsed into dichotomous categories. The race variable was collapsed into White and Non-White, with "Non-White" comprising of "Hispanic, Asian, and Other". The original variable measuring how well the respondent rated the criminal justice system overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don't Know. These responses were collapsed into either favorable or poor, with the response "not sure/don't know" removed. Five hundred sixty-six respondents answered this question. Results are shown in Table 2. Forty-six percent of White respondents viewed the criminal justice system favorably, while 50 % of non-Whites responded favorably.

The Pearson’s Chi-square statistic for this data is .056, which was not significant at a .05 significance level. These data would suggest that there is no relationship between these two variables and that the small relationship that is seen is most likely attributed to sampling error. Failing to reject the null hypothesis offers a more reliable outcome than rejecting at a different significance level.

Table 2.

*Race and Criminal Justice System*

Rate the CJ System		Race		Total
		White	Non-White	
Favorable	Count	258	6	264
	Expected Count	258.4	5.6	264.0
	% within Race	46.6%	50.0%	46.6%
Poor	Count	296	6	302
	Expected Count	295.6	6.4	302.0
	% within Race	53.4%	50.0%	53.4%
Total	Count	554	12	566
	Expected Count	554.0	12.0	566.0
	% within Race	100.0%	100.0%	100.0%

$\chi^2 = .056$ ; p-value = .814

Race and Reparative Boards

Does race affect one’s overall opinion of reparative boards? To answer this question, the variables that were compiled by the original researchers were collapsed into dichotomous categories. The race variable was collapsed into White and Non-White, with “Non-White” comprising of “Hispanic, Asian, and Other”. The original variable measuring the overall opinion of reparative boards was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 = Blank,. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. Fifty-

five respondents answered this question. Results are shown in Table 3. White respondents viewed reparative boards positively, returning 88.7% favorable attitudes, while non-Whites were split. Table 3 should be viewed with great caution due to the very small sample size who actually answered this question, as it was contingent on whether the respondent had heard of reparative boards before.

The Pearson’s Chi-square statistic for this data is 2.596, which was not significant. This means 10.7% of the time, if in fact the null hypothesis is true, a value of 1.258 or higher would be observed, and therefore these data suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, it is clear that the proper course of action would be to fail to reject the null hypothesis.

Table 3.

*Race and Reparative Boards*

OVERALL OPINION OF REPARATIVE BOARDS			Race		Total
			White	Non-White	
Positive	Count	47	1	48	
	Expected Count	46.3	1.7	48.0	
	% within Race	88.7%	50.0%	87.3%	
Negative	Count	6	1	7	
	Expected Count	6.7	.3	7.0	
	% within Race	11.3%	50.0%	12.7%	
Total	Count	53	2	55	
	Expected Count	53.0	2.0	55.0	
	% within Race	100.0%	100.0%	100.0%	

$\chi^2 = 2.596$ ; p-value = .107

### Race and Diversion Program

Does race affect the overall opinion of the diversion program? To answer this question, the response choices that were used by the original researchers were collapsed into dichotomous categories. The race variable was collapsed into White and non-White, with “non-White” comprising of Hispanic, Asian, and Other”. The original variable measuring how well the respondent rated the diversion program overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don’t Know. These responses were collapsed into either favorable or poor, with the response “not sure/don’t know” removed. Three hundred twenty respondents answered this question. Results are shown in Table 4. Eighty-five percent of White respondents viewed the diversion program positively, while 72% of non-White respondents answered similarly.

The Pearson’s Chi-square statistic for this data is 1.172, which was not significant. This means that if the experiment were run a hundred times, this result would occur 27.9% of the time if in fact the null hypothesis is true, therefore these data would suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, it is clear that the proper course of action would be to fail to reject the null hypothesis.

Table 4.

*Race and Diversion Program*

OVERALL OPINION OF DIVERSION PROGRAM		Race		Total
		White	Non-White	
Positive	Count	269	5	274
	Expected Count	268.0	6.0	274.0
	% within Race	85.9%	71.4%	85.6%
Negative	Count	44	2	46
	Expected Count	45.0	1.0	46.0
	% within Race	14.1%	28.6%	14.4%
Total	Count	313	7	320
	Expected Count	313.0	7.0	320.0
	% within Race	100.0%	100.0%	100.0%

$\chi^2 = 1.172$ ; p-value = .279

Race and Furlough Program

Does race affect the overall opinion of the furlough program? To answer this question, the response choices used by the original researchers were collapsed into dichotomous categories. The race variable was collapsed into White and non-White, with “non-White” comprising of “Hispanic, Asian, and Other”. The original variable measuring the overall opinion of the furlough program was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. Three hundred eleven respondents answered this question. Results are shown in Table 5. Forty-one percent of White respondents had a favorable opinion of the furlough program, while 66.7% of non-White respondents shared that opinion.

The Pearson’s Chi-square statistic for this data is 1.599, which was not significant. This means that if the experiment were run a hundred times, this result would occur

20.6% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, it is clear that the proper course of action would be to fail to reject the null hypothesis.

Table 5.

*Race and Furlough Program*

OVERALL OPINION OF FURLOUGH PROGRAM		Race		Total
		White	Non-White	
Positive	Count	125	4	129
	Expected Count	126.5	2.5	129.0
	% within Race	41.0%	66.7%	41.5%
Negative	Count	180	2	182
	Expected Count	178.5	3.5	182.0
	% within Race	59.0%	33.3%	58.5%
Total	Count	305	6	311
	Expected Count	305.0	6.0	311.0
	% within Race	100.0%	100.0%	100.0%

$\chi^2 = 1.599$ ; p-value = .206

Age and Caseload

Does age affect whether one believes that the courts have too many cases to handle effectively? To answer this question, the original categories were collapsed into younger and older groups, with the dividing point at 50 years old. The original variable measuring how strongly the respondent agreed towards whether the courts could handle cases effectively was measured with 1 = strongly agree, 2 = somewhat agree, 3 = somewhat disagree, 4 = strongly disagree, and 5 = not sure/don't know. These responses were collapsed into either agree or disagree, with the response "not sure/don't know" removed. Four hundred eighty-two respondents answered this question. Results are

shown in Table 6. After examining the percentages within age, one can see that members among both age groups agreed that the courts had too many cases to handle effectively.

The Pearson’s Chi-square statistic for this data is 1.849, which was not significant. This means that if the experiment were run a hundred times, this result would occur 17 times in a thousand attempts, if in fact the null hypothesis was true. These data suggest that there is no relationship between these two variables.

Table 6.

*Age and Caseload*

Too Many Cases to Handle Effectively?		Age		Total
		18-50	51 or over	
AGREE	Count	293	123	416
	Expected Count	288.3	127.7	416.0
	% within Age	87.7%	83.1%	86.3%
DISAGREE	Count	41	25	66
	Expected Count	45.7	20.3	66.0
	% within Age	12.3%	16.9%	13.7%
Total	Count	334	148	482
	Expected Count	334.0	148.0	482.0
	% within Age	100.0%	100.0%	100.0%

$\chi^2 = 1.849$ ; p-value = .174

Age and Criminal Justice System

Does age affect how one rates the criminal justice system overall? To answer this question the original categories were collapsed into younger and older groups, with the dividing point at 50 years old. The original variable measuring how well the respondent rated the criminal justice system overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don’t Know. These responses were collapsed into either favorable or poor, with the response “not sure/don’t know” removed. Five hundred

seventy-nine respondents answered this question. Results are shown in Table 7. After examining the percentages within age, it appears that age was positively related to a favorable attitude towards the criminal justice system.

The Pearson’s Chi-square statistic for this data is 2.630, which was not significant. This means that if the experiment were run a thousand times, this result would occur 10.5% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables. While it is possible to see a trend, the observed frequencies and the expected frequencies were too similar to suggest a relationship at the population level.

Table 7.

*Age and Criminal Justice System*

Rate the CJ System		Respondent's Age		Total
		18-50	51 or over	
Favorable	Count	180	95	275
	Expected Count	189.0	86.0	275.0
	% within Respondent's Age	45.2%	52.5%	47.5%
Poor	Count	218	86	304
	Expected Count	209.0	95.0	304.0
	% within Respondent's Age	54.8%	47.5%	52.5%
Total	Count	398	181	579
	Expected Count	398.0	181.0	579.0
	% within Respondent's Age	100.0%	100.0%	100.0%

$\chi^2 = 2.630$ ; p-value = .105

Age and Reparative Boards

Does age affect the overall opinion of reparative boards? To answer this question, the original categories were collapsed into younger and older groups, with the dividing point at 50 years old. The original variable measuring the overall opinion of reparative boards was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 =

Blank. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. This particular table should be viewed with great caution due to the very small sample size who actually answered this question, as it was contingent on whether the respondent had heard of reparative boards before. Fifty-six respondents answered this question. Results are shown in Table 8.

The Pearson’s Chi-square statistic for this data is .404, which was not significant. This means that if the experiment were run a hundred times, this result would occur 52.5% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, one must fail to reject the null hypothesis.

Table 8.

*Age and Reparative Boards*

OVERALL OPINION OF REPARATIVE BOARDS		Respondent's Age		Total
		18-50	51 or over	
Positive	Count	40	9	49
	Expected Count	39.4	9.6	49.0
	% within Respondent's Age	88.9%	81.8%	87.5%
Negative	Count	5	2	7
	Expected Count	5.6	1.4	7.0
	% within Respondent's Age	11.1%	18.2%	12.5%
Total	Count	45	11	56
	Expected Count	45.0	11.0	56.0
	% within Respondent's Age	100.0%	100.0%	100.0%

$\chi^2 = .404$ ; p-value = .525

### Age and Diversion Program

Does age affect the overall opinion of the diversion program? To answer this question, the original categories were collapsed into younger and older groups, with the dividing point at 50 years old. The original variable measuring how well the respondent rated the diversion program overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don't Know. These responses were collapsed into either favorable or poor, with the response "not sure/don't know" removed. Three hundred twenty-four respondents answered this question. Results are shown in Table 9. Eighty-nine percent of the age group 18-50 held a positive opinion of the diversion program, while that number declined to 78.1% for the age group 51 or over.

The Pearson's Chi-square statistic for this data is 6.601, which was significant at the .010 level. This means that if the experiment were run a thousand times, this result would occur 10 times in a thousand attempts, if in fact the null hypothesis was true. After obtaining statistical significance, the Gamma coefficient (.389) shows that there is a medium relationship between these two variables.

Table 9.

*Age and Diversion Program*

OVERALL OPINION OF DIVERSION PROGRAM		Respondent's Age		Total
		18-50	51 or over	
Positive	Count	203	75	278
	Expected Count	195.6	82.4	278.0
	% within Respondent's Age	89.0%	78.1%	85.8%
Negative	Count	25	21	46
	Expected Count	32.4	13.6	46.0
	% within Respondent's Age	11.0%	21.9%	14.2%
Total	Count	228	96	324
	Expected Count	228.0	96.0	324.0
	% within Respondent's Age	100.0%	100.0%	100.0%

$\chi^2 = 6.601$ ; p-value = .010

Gamma = .389

Age and Furlough Program

Does age affect the overall opinion of the furlough program? To answer this question, the original categories were collapsed into younger and older groups, with the dividing point at 50 years old. The original variable measuring the overall opinion of the furlough program was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don't Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response "not sure/don't know" removed. Three hundred eighteen respondents answered this question. Results are shown in Table 10. Forty-seven percent of those 18-50 held a positive opinion of the furlough program, and that number declined to a 29% for those 51 or over.

The Pearson's Chi-square statistic for this data is 9.402, which was significant at a .002 level. This means that if the experiment were run a thousand times, this result

would occur twice in a thousand attempts, if in fact the null hypothesis was true. After obtaining statistical significance, the Gamma coefficient (.374) shows that there is a medium relationship between these two variables.

Table 10.

*Age and Furlough Program*

OVERALL OPINION OF FURLOUGH PROGRAM		Respondent's Age		Total
		18-50	51 or over	
Positive	Count	103	29	132
	Expected Count	90.5	41.5	132.0
	% within Respondent's Age	47.2%	29.0%	41.5%
Negative	Count	115	71	186
	Expected Count	127.5	58.5	186.0
	% within Respondent's Age	52.8%	71.0%	58.5%
Total	Count	218	100	318
	Expected Count	218.0	100.0	318.0
	% within Respondent's Age	100.0%	100.0%	100.0%

$\chi^2 = 9.402$ ; p-value = .002

Gamma = .374

Gender and Caseload

Does gender affect whether one believes that the courts have too many cases to handle effectively? To answer this question, the original categories that the data were collected in were satisfactory for examining the difference between genders. The original variable measuring how strongly the respondent agreed towards whether the courts could handle cases effectively was measured with 1 = strongly agree, 2 = somewhat agree, 3 = somewhat disagree, 4 = strongly disagree, and 5 = not sure/don't know. These responses were collapsed into either agree or disagree, with the response "not sure/don't know" removed. Four hundred eighty-five respondents answered this question. Results are

shown in Table 11. After examining the percentages within gender, 89% of females agreed that the courts had too many cases to handle effectively, while 82% of males shared that opinion.

The Pearson's Chi-square statistic for this data is 4.453, which was significant at the .035 level. This means that if the experiment were run a thousand times, this result would occur 35 times in a thousand attempts, if in fact the null hypothesis was true. After obtaining statistical significance, the Phi coefficient of -.096 shows that there is a very weak relationship between these two variables.

Table 11.

*Gender and Caseload*

Too Many Cases to Handle Effectively?		RESPONDENT'S SEX		Total
		Male	Female	
AGREE	Count	204	214	418
	Expected Count	212.0	206.0	418.0
	% within RESPONDENT'S SEX	82.9%	89.5%	86.2%
DISAGREE	Count	42	25	67
	Expected Count	34.0	33.0	67.0
	% within RESPONDENT'S SEX	17.1%	10.5%	13.8%
Total	Count	246	239	485
	Expected Count	246.0	239.0	485.0
	% within RESPONDENT'S SEX	100.0%	100.0%	100.0%

$\chi^2 = 4.453$ ; p-value = .035

Phi = -.096

Gender and Criminal Justice System

Does gender affect how one rates the criminal justice system overall? To answer this question, the original categories that the data were collected in were satisfactory for

examining the difference between genders. The original variable measuring how well the respondent rated the criminal justice system overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don't Know. These responses were collapsed into either favorable or poor, with the response "not sure/don't know" removed. Five hundred eighty-two respondents answered this question. Results are shown in Table 12. After examining the percentages within gender, males rate the criminal justice system poorer than females, 54% and 50% respectively.

The Pearson's Chi-square statistic for this data is .675, which was not significant. This means that if the experiment were run a thousand times, this result would occur 41% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables.

Table 12.

*Gender and Criminal Justice System*

Rate the CJ System		RESPONDENT'S SEX		Total
		Male	Female	
Favorable	Count	134	142	276
	Expected Count	138.9	137.1	276.0
	% within RESPONDENT'S SEX	45.7%	49.1%	47.4%
Poor	Count	159	147	306
	Expected Count	154.1	151.9	306.0
	% within RESPONDENT'S SEX	54.3%	50.9%	52.6%
Total	Count	293	289	582
	Expected Count	293.0	289.0	582.0
	% within RESPONDENT'S SEX	100.0%	100.0%	100.0%

$\chi^2 = .675$ ; p-value = .411

## Gender and Reparative Boards

Does gender affect the overall opinion of reparative boards? To answer this question, the original categories that the data were collected in were satisfactory for examining the difference between genders. The original variable measuring the overall opinion of reparative boards was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don't Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response "not sure/don't know" removed. This particular table should be viewed with great caution due to the very small sample size who actually answered this question, as it was contingent on whether the respondent had heard of reparative boards before. Fifty-six respondents answered this question. Results are shown in Table 13. At first glance one might expect that there is a relationship considering that 93% of females have a favorable opinion of reparative boards compared to 81% of males, yet the small sample size skews these results.

The Pearson's Chi-square statistic for this data is 1.727, which was not significant. This means that if the experiment were run a thousand times, this result would occur 18.9% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, it is clear that the proper course of action would be to fail to reject the null hypothesis.

Table 13.

*Gender and Reparative Boards*

OVERALL OPINION OF REPARATIVE BOARDS		RESPONDENT'S SEX		Total
		Male	Female	
Positive	Count	22	27	49
	Expected Count	23.6	25.4	49.0
	% within RESPONDENT'S SEX	81.5%	93.1%	87.5%
Negative	Count	5	2	7
	Expected Count	3.4	3.6	7.0
	% within RESPONDENT'S SEX	18.5%	6.9%	12.5%
Total	Count	27	29	56
	Expected Count	27.0	29.0	56.0
	% within RESPONDENT'S SEX	100.0%	100.0%	100.0%

$\chi^2 = 1.727$ ; p-value = .189

Gender and Diversion Program

Does gender affect the overall opinion of the diversion program? To answer this question, the original categories that the data were collected in were satisfactory for examining the difference between genders. The original variable measuring how well the respondent rated the diversion program overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don't Know. These responses were collapsed into either favorable or poor, with the response "not sure/don't know" removed. Three hundred twenty-five respondents answered this question. Results are shown in Table 14. Once again, it may appear as if there is a relationship between gender and opinion. Eighty-eight percent of females have a positive opinion, while 82% of males share that opinion.

The Pearson’s Chi-square statistic for this data is 2.205, which was not significant. This means that if the experiment were run a thousand times, this result would occur 13% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables.

Table 14.

*Gender and Diversion Program*

OVERALL OPINION OF DIVERSION PROGRAM		RESPONDENT'S SEX		Total
		Male	Female	
Positive	Count	139	139	278
	Expected Count	143.7	134.3	278.0
	% within RESPONDENT'S SEX	82.7%	88.5%	85.5%
Negative	Count	29	18	47
	Expected Count	24.3	22.7	47.0
	% within RESPONDENT'S SEX	17.3%	11.5%	14.5%
Total	Count	168	157	325
	Expected Count	168.0	157.0	325.0
	% within RESPONDENT'S SEX	100.0%	100.0%	100.0%

$\chi^2 = 2.205$ ; p-value = .138

Gender and Furlough Program

Does gender affect the overall opinion of the furlough program? To answer this question, the original categories that the data were collected in were satisfactory for examining the difference between genders. The original variable measuring the overall opinion of the furlough program was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. Three hundred twenty respondents answered this question. Results are shown in Table 15. Both men and

women share nearly the exact same opinions on the furlough program, once again harboring a negative opinion, 58.8% and 58.7% respectively.

The Pearson’s Chi-square statistic for this data is .000, which was not significant. This means that if the experiment were run a thousand times, this result would occur 99% of the time if in fact the null hypothesis is true, therefore these data suggest that there is no relationship between these two variables. Considering that the observed values were nearly exactly what would have been expected if the null hypothesis were true, it is clear that the proper course of action would be to fail to reject the null hypothesis.

Table 15.

*Gender and Furlough Program*

OVERALL OPINION OF FURLOUGH PROGRAM		RESPONDENT'S SEX		Total
		Male	Female	
Positive	Count	73	59	132
	Expected Count	73.0	59.0	132.0
	% within RESPONDENT'S SEX	41.2%	41.3%	41.3%
Negative	Count	104	84	188
	Expected Count	104.0	84.0	188.0
	% within RESPONDENT'S SEX	58.8%	58.7%	58.8%
Total	Count	177	143	320
	Expected Count	177.0	143.0	320.0
	% within RESPONDENT'S SEX	100.0%	100.0%	100.0%

$\chi^2 = .000$ ; p-value = .998

Education and Caseload

Does education affect whether one believes that the courts have too many cases to handle effectively? To answer this question, the categories created by the researchers had

to be altered. “High School”, “Some College”, “College Graduate” and “Post-Graduate” remained the same, but the variable “Less than High School” was created by collapsing the original categories “less than 6<sup>th</sup> grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “Some High School.” The original variable measuring how strongly the respondent agreed towards whether the courts could handle cases effectively was measured with 1 = strongly agree, 2 = somewhat agree, 3 = somewhat disagree, 4 = strongly disagree, and 5 = not sure/don’t know. These responses were collapsed into either agree or disagree, with the response “not sure/don’t know” removed. Four hundred eighty-one respondents answered this question. Results are shown in Table 16.

The Pearson’s Chi-square statistic for this data is 4.865, which was not significant. This means that if the experiment were run a thousand times, this result would occur 32% of the time if in fact the null hypothesis was true, therefore these data suggest that there is no relationship between these two variables.

Table 16.

*Education and Caseload*

Too Many Cases to Handle Effectively?		EDUCATION					Total
		<HS	HS	SOME COLLEGE	COLLEGE GRAD	POST-GRAD	
AGREE	Count	30	161	84	99	42	416
	Expected Count	33.7	156.5	86.5	97.7	41.5	416.0
	% within EDUCATION	76.9%	89.0%	84.0%	87.6%	87.5%	86.5%
DISAGREE	Count	9	20	16	14	6	65
	Expected Count	5.3	24.5	13.5	15.3	6.5	65.0
	% within EDUCATION	23.1%	11.0%	16.0%	12.4%	12.5%	13.5%
Total	Count	39	181	100	113	48	481
	Expected Count	39.0	181.0	100.0	113.0	48.0	481.0
	% within EDUCATION	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 4.865$ ; p-value = .321

## Education and Criminal Justice System

Does education affect the overall opinion of the criminal justice system? To answer this question, the categories created by the researchers had to be altered. “High School”, “Some College”, “College Graduate” and “Post-Graduate” remained the same, but the variable “Less than High School” was created by collapsing the original categories “less than 6<sup>th</sup> grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “Some High School.” The original variable measuring how well the respondent rated the criminal justice system overall was coded as 1 = Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don’t Know. These responses were collapsed into either favorable or poor, with the response “not sure/don’t know” removed. Five hundred seventy-eight respondents answered this question. Results are shown in Table 17.

The Pearson’s Chi-square statistic for this data is 4.249, which was not significant. This means that if the experiment were run a thousand times, this result would occur 37% of the time if in fact the null hypothesis was true, therefore these data suggest that there is no relationship between these two variables.

Table 17.

*Education and Criminal Justice System*

Rate the CJ System		EDUCATION					Total
		<HS	HS	SOME COLLEGE	COLLEGE GRAD	POST-GRAD	
Favorable	Count	20	88	60	73	34	275
	Expected Count	19.5	99.4	57.6	66.1	32.4	275.0
	% within EDUCATION	48.8%	42.1%	49.6%	52.5%	50.0%	47.6%
Poor	Count	21	121	61	66	34	303
	Expected Count	21.5	109.6	63.4	72.9	35.6	303.0
	% within EDUCATION	51.2%	57.9%	50.4%	47.5%	50.0%	52.4%
Total	Count	41	209	121	139	68	578
	Expected Count	41.0	209.0	121.0	139.0	68.0	578.0
	% within EDUCATION	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 4.249$ ; p-value = .373

Education and Reporative Boards

Does education affect the overall opinion of reparative boards? To answer this question, the categories created by the researchers had to be altered. “High School”, “Some College”, “College Graduate” and “Post-Graduate” remained the same, but the variable “Less than High School” was created by collapsing the original categories “less than 6<sup>th</sup> grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “Some High School.” The original variable measuring the overall opinion of reparative boards was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. Fifty-six respondents answered this question. Results are shown in Table 18.

The Pearson’s Chi-square statistic for this data is 10.895, which was significant at the .028 level. This means that if the experiment were run a thousand times, this result

would occur 28 times if in fact the null hypothesis was true. After obtaining statistical significance, the Cramer’s V test for the strength of the relationship returned a .441, which indicates a medium to strong relationship. Extreme caution should be shown when interpreting these results because of the amount (60%) of the cells that have expected counts less than five.

Table 18.

*Education and Reparative Boards*

OVERALL OPINION OF REPARATIVE BOARDS		EDUCATION					Total
		<HS	HS	SOME COLLEGE	COLLEGE GRAD	POST-GRAD	
Positive	Count	0	12	8	14	15	49
	Expected Count	.9	13.1	8.8	13.1	13.1	49.0
	% within EDUCATION	.0%	80.0%	80.0%	93.3%	100.0%	87.5%
Negative	Count	1	3	2	1	0	7
	Expected Count	.1	1.9	1.3	1.9	1.9	7.0
	% within EDUCATION	100.0%	20.0%	20.0%	6.7%	.0%	12.5%
Total	Count	1	15	10	15	15	56
	Expected Count	1.0	15.0	10.0	15.0	15.0	56.0
	% within EDUCATION	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 10.895$ ; p-value = .028

Cramer’s V = .441

Education and Diversion Program

Does education affect the overall opinion of diversion programs? To answer this question, the categories created by the researchers had to be altered. “High School”, “Some College”, “College Graduate” and “Post-Graduate” remained the same, but the variable “Less than High School” was created by collapsing the original categories “less than 6<sup>th</sup> grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “Some High School.” The original variable measuring how well the respondent rated the diversion program overall was coded as 1 =

Excellent, 2 = Good, 3 = Only Fair, 4 = Poor, and 5 = Not Sure/Don't Know. These responses were collapsed into either favorable or poor, with the response "not sure/don't know" removed. Three hundred twenty-three respondents answered this question. Results are shown in Table 19.

The Pearson's Chi-square statistic for this data is 1.388, which was not significant. This means that if the experiment were run a thousand times, this result would occur 84% of the time if in fact the null hypothesis was true, therefore these data suggest that there is no relationship between these two variables.

Table 19.

*Education and Diversion Program*

OVERALL OPINION OF DIVERSION PROGRAM		EDUCATION					Total
		<HS	HS	SOME COLLEGE	COLLEGE GRAD	POST-GRAD	
Positive	Count	15	95	55	75	38	278
	Expected Count	15.5	93.8	57.7	74.0	37.0	278.0
	% within EDUCATION	83.3%	87.2%	82.1%	87.2%	88.4%	86.1%
Negative	Count	3	14	12	11	5	45
	Expected Count	2.5	15.2	9.3	12.0	6.0	45.0
	% within EDUCATION	16.7%	12.8%	17.9%	12.8%	11.6%	13.9%
Total	Count	18	109	67	86	43	323
	Expected Count	18.0	109.0	67.0	86.0	43.0	323.0
	% within EDUCATION	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 1.388$ ; p-value = .846

Education and Furlough Program

Does education affect the overall opinion of furlough programs? To answer this question, the categories created by the researchers had to be altered. "High School", "Some College", "College Graduate" and "Post-Graduate" remained the same, but the variable "Less than High School" was created by collapsing the original categories "less

than 6<sup>th</sup> grade”, “6<sup>th</sup> through 8<sup>th</sup> grade”, and “Some High School.” The original variable measuring the overall opinion of the furlough program was coded as 1 = Positive, 2 = Negative, 3 = Not Sure/Don’t Know, and 9 = Blank. These responses were collapsed into either positive or negative, with the response “not sure/don’t know” removed. Three hundred seventeen respondents answered this question. Results are shown in Table 20.

The Pearson’s Chi-square statistic for this data is 4.408, which was not significant. This means that if the experiment were run a thousand times, this result would occur 35% of the time if in fact the null hypothesis was true, therefore these data suggest that there is no relationship between these two variables.

Table 20.

*Education and Furlough Program*

OVERALL OPINION OF FURLOUGH PROGRAM		EDUCATION					Total
		<HS	HS	SOME COLLEGE	COLLEGE GRAD	POST-GRAD	
Positive	Count	10	45	20	34	22	131
	Expected Count	7.4	45.0	25.6	33.9	19.0	131.0
	% within EDUCATION	55.6%	41.3%	32.3%	41.5%	47.8%	41.3%
Negative	Count	8	64	42	48	24	186
	Expected Count	10.6	64.0	36.4	48.1	27.0	186.0
	% within EDUCATION	44.4%	58.7%	67.7%	58.5%	52.2%	58.7%
Total	Count	18	109	62	82	46	317
	Expected Count	18.0	109.0	62.0	82.0	46.0	317.0
	% within EDUCATION	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

$\chi^2 = 4.408$ ; p-value = .354

Summary

Five of the twenty Chi-square analyses returned a significance level of .05 or lower, which suggests that there are some implications to be drawn from this study. The

results above show that age is the demographic variable that influences opinions toward restorative justice practices including the courts being overcrowded, support for the diversion program, and support for the furlough program. The courts' caseload was the dependent variable that was influenced the most by the demographic variables observed. According to the Chi-square analyses, the age, race, and gender of the subjects affected the attitudes towards whether the courts had too many cases to handle effectively. This means that the difference between the observed frequencies and the expected frequencies were large enough to assume that the differences observed between age groups, race or ethnicities, or males and females exist at the population level.

The relationship that was observed between the subjects' education level and opinion of reparative boards must be examined with extreme caution. Due to the large numbers of low-expected frequency cells, it would be unwise to attempt to draw any meaningful relationship implications from that table.

It is important to remember that if the Chi-square statistic does not show a significant relationship, then that could mean that there truly is no relationship *or* that there truly is no *linear* relationship. This is an honest mistake that many researchers make when using descriptive statistics or cross-tabulations. For instance, after taking a look at the Sourcebook for Criminal Justice Statistics' Gallup polls, one can see that in terms of "income", there is a curvilinear relationship towards support for attacking social problems to reduce the crime rate (2010).

## CHAPTER 5

### DISCUSSION

#### Findings

This study examined the relationships between demographic variables and attitudes in support of restorative justice policies. Age, gender, race, and education were the independent variables. Attitudes toward the court's caseload, reparative boards, diversion programs, furlough program, and the criminal justice system overall served as the dependent variables. These variables served to measure public opinion on restorative justice programs, which had been codified into Vermont state law. The original research conducted by John Research Associates and Judith Greene (2001) was the primary source for this study on public opinion.

#### Hypothesis 1

The first hypothesis examines the relationship between demographic characteristics and whether any of the five independent variables affects the opinion of whether the Vermont court system has too many cases to handle effectively. The null hypothesis is stated thusly:

H<sub>1</sub>: Public opinion about the court's caseload is not affected by demographic factors.

Based on the findings, the data suggests that this null hypothesis should be rejected. One of the four demographic variables, gender, returned a Chi-square value that suggests that a relationship exists not due to sampling error. The race findings are reported but no conclusions are made based on a low representativeness of African Americans. The most important information pulled from these relationships pertains to

how demographic characteristics affect opinions of caseload effectiveness more than any of the other four dependent variables that were tested against these independent variables.

The demographic predictor of likelihood to agree with the courts' inundation with cases is gender, which was significant at the .035 level, which falls under the working level of .05. After inspecting the data, females are more likely to agree that that the courts have too many cases to handle. This relationship had a Phi coefficient of  $-.096$ , which shows that this relationship, while significant, is fairly weak compared to other, more substantive relationships.

Based on the results, White Vermonters are more likely to agree that the court system has too many cases to handle effectively as opposed to non-White citizens. There were a much higher percentage of White respondents who agreed that there were too many cases for the court system to handle. Eighty-seven percent agreed with this statement while non-White respondents were split (50%). This result was significant at a .001 level, and the Phi coefficient was  $.172$ , meaning that while there exists a relationship between these two variables, the magnitude of this relationship is weak. The results suggest that White Vermonters are more likely to agree that the court system has too many cases to handle, as opposed to non-White citizens, but these numbers are not representative of the population based on a nonrepresentative racial sample.

### Hypothesis 2

The second hypothesis examines the impact that demographic factors have on opinions toward the criminal justice system overall. The null hypothesis for this relationship is stated thusly:

H<sub>2</sub>: Public opinion about the criminal justice system is the same regardless of demographic factors.

Based on the findings, the data do not suggest that any of these demographic variables affect opinion toward the criminal justice system overall. After inspecting the expected count and the observed frequencies of all four cross-tabulations, any fluctuation between these two numbers would be attributed to sampling error, as opposed to an actual relationship being present. The logical choice is to fail to reject the null hypothesis. As noted in Chapter 4, the sample did not have enough non-Whites to make valid and reliable inferences about the impact of race, if any, on attitudes. Future research in Vermont would need to address this issue.

### Hypothesis 3

The final hypothesis examines the impact that demographic factors have on attitudes toward restorative justice programs. The null hypothesis was states thusly:

H<sub>3</sub>: Public opinion about restorative justice practices are the same regardless of demographic factors.

To restate, the three programs that were specifically asked about in the original research are reparative boards, diversion programs, and furlough programs. It is also important to note that each of these opinion questions are contingency questions based on whether the respondent had heard about these programs before. This significantly reduced the number of respondents who could be asked about these programs, especially reparative boards.

Gender and race did not have a significant relationship with any of the three restorative justice programs according to this data. Education actually did impact

opinions on overall opinions on reparative boards, but based on the percentage of expected counts below five, these data are too shaky to suggest an actual relationship. As far as the statistics go, these data suggest that the more education that an individual completes, the more positive of an opinion that person would have of reparative boards. This significance level falls under .05 (.028), and the Cramer's V statistic indicates a very strong relationship at .441. However, with the large number of cells in the cross-tabulation with expected frequencies less than five, it would be unwise to base claims of a strong relationship based on this research.

Age was found to significantly impact opinions on the diversion program as well as the furlough program. After inspecting the data, it was found that as an individual gets older, that individual would be more likely to adopt a less supportive opinion of both the diversion program and the furlough program. With regards to the diversion program, the significance in this relationship was .010, which falls under the .05 level. The Gamma test used to measure the substantive significance of this relationship returned a .389, which translates to medium strength. It is essential to note that there was one expected frequency below five, so caution should be exercised in interpreting these results. As for attitudes toward the furlough program, this was the relationship that was the strongest among restorative justice practices. The Chi-square test was significant at the .002 level, and the Gamma test revealed a .374 statistic, which signifies a medium relationship.

The question arises about whether this hypothesis can be rejected considering that only one fourth of the relationships yielded significant results. Because statistical significance was found, it would be appropriate to reject this null hypothesis. Age was shown to have a very significant impact on opinions toward restorative justice practices,

though race and gender did not yield significant results. As previous research has shown, it would be not be prudent to assume that because there is significance that there is a true relationship. It would also be a stretch to assume any sense of causality with results such as these; especially considering the possible other factors that are either related to the demographic factors or that supersede them in affecting attitudes. These factors could include several possibilities, including whether a respondent has been a victim of a crime before or whether there exists a fear of crime with the respondent.

### Limitations

Previous limitations stand out as the most detrimental to understanding these data. The ability to use regression analysis that collecting data at the interval or ratio level allows is a superb way to account for what variables affect these attitudes with greater accuracy. That being restated, the contingency questions that were asked definitely limited the ability to achieve significance, though it was an important task for the original researchers. It is important to note from Hutton (2005) that the provision of new information impacts survey respondents and sways their responses toward the most recently learned information, which speaks to the importance of the education variable as well as the methodology involved.

Reparative boards are likely to be more homogenous than juries; therefore, creating a diverse atmosphere for a reparative board will be more difficult than with juries. However, if the community where the offense occurred was in fact homogenous, it would be appropriate to have such a representative composition. The complete lack of African Americans in the sample does not yield results that can be generalized in this study.

As far as the methodology is concerned, there has been substantial research on the validity and the effects that administering surveys in particular ways affects the results. In the future when given the opportunity to ask a population about their opinions on the criminal justice system, and then to ask them 5 years later if they feel any different about the way that the criminal justice system is working, a paired samples t test would do a great job of determining if there was truly a difference at one time period or another. The practicality of a paired samples t-test when analyzing data using questions such as “compared to five years ago, crime is...” makes itself apparent, though the greatest progress will inevitably come from better data collection.

Vermont, though a pioneer in the field of restorative justice, is a fairly atypical state in regards to racial diversity. The way that race affects opinion may in fact be more significant in regions where there is greater diversity to draw a sample from. The sample is fairly homogenous and surely reflects the attitudes of strictly Vermonters; however, considering the nature of the questions in regard to what the citizens already knew about the restorative justice programs as well as the necessity to administer the survey to a population that was familiar with restorative justice, it was an appropriate sample in regards to the other demographic factors.

One other limitation to this study involves the presence of contingency questions about whether the respondent had any prior knowledge about the particular program. Hypothesis 3 examines public opinion toward restorative justice practices based on demographics, but there was a possible historical factor that influenced whether Vermonters knew about the programs or not. Reparative boards had a low rate of who had heard about it before, but the numbers about familiarity with a program were higher

with furlough programs. Though these programs were implemented for 5 years, one contributing factor must be the high-profile incident involving the furlough of William R. Horton. On April 3<sup>rd</sup>, 1987, Horton broke into a couple's home, raping the wife and stabbing the husband, while he was furloughed for the weekend. The Bush Sr. campaign used Dukakis's stand on furlough programs to label him as soft on crime, and furlough got much more media attention compared to other programs. Based on this incident, public knowledge about the program may stem from factors besides their current implementation in the state of Vermont.

### Implications

Though statistical significance was found in 5 of the 20 relationships that were examined in this study, only a few of these held any substantive significance that implications can be drawn from.

In order to evaluate whether a program or a policy has been successful, it is important to examine the initial goals set out by the architects of such a policy. In terms of restorative justice, the goals should include some mention of repairing the relationship between offender and victim, offender and community, and healing the atmosphere that surrounds all parties. Different policies will have different goals. Goals such as restoration, social integration, community capacity, and community satisfaction have been outlined for reparative boards (Karp & Clear, 2000). According to the Vermont Department of Corrections, "providing public safety, offender accountability, victim reparation, and building healthy communities empowered to control their own justice processes and dispute resolution strategies" are goals of their Restorative Probation Boards (Karp & Drakulich, 2004).

Similar to the D.A.R.E. program or Scared Straight, if we are to measure simply crime rates, then most criminal justice scholars agree that these were unsuccessful based on no change in what was observed. However, to truly gauge whether the programs were worth the money invested in them, other outcomes must be examined. The goals of restorative justice are more overarching and positive for all members of the community, instead of the goals of most agencies, which are offender focused. Significant taxpayer money is spent on corrections every year, and the ability for citizens to weigh in and contribute will alleviate the alienation between taxpayers and seeing the results.

There are two main implications that can be pulled from this study. The first one is based on Hypothesis 1, which is that the people of Vermont believe that the court system has too many cases to handle effectively. The phrasing of this question is important. It could mean that the people of Vermont believe that the courts are overcrowded, or it could mean that there is dissatisfaction with the kind of justice that the courts are handing down, possibly due to the public opinion that they are overcrowded. Regardless, this is an open door for programs such as diversion and reparative boards to be codified throughout the United States. Overcrowding of the courts has been a trend in America. If people believe that the courts can no longer effectively perform their duties in the criminal justice realm, then options like the diversion program and reparative boards can gain political momentum. Public opinion research is extremely important in the election of public officials and the shaping of laws through legislation. Without the backbone of solid political backing or the presence of a major flaw in the system, new rehabilitative programs can be labeled as soft or ineffective. The information that this

study can provide to that cause is that younger, White, females would be predicted to support the opinion that the courts have too many cases to be effective.

The second major implication to be drawn from this study is that age is the most predictive demographic variable in determining attitudes towards restorative justice programs. As noted before, the younger an individual is, the more likely that individual is going to support the opinion that the courts have too many cases to be effective. Similarly, the younger an individual is, the more likely that he or she is going to support the diversion program and the furlough program. While there are reasons that an older respondent may not have been supportive of these programs, the main point is that the younger generations are receptive to newer paradigms in criminal justice. Based on the emergence of new “significant others” in the workplace, social circles, or political scene, these younger generations are willing to accept rehabilitative practices more willingly than their older counterparts, which creates a better atmosphere for a more progressive criminal justice system.

#### Further Research

While this research and concurrent study is important to understanding public opinion toward restorative justice principles, it is in no way comprehensive and should be used as inspiration for researchers to expand on this field. Vermont is a homogenous state with codified restorative justice principles, but the trend of using these programs and similar programs is inundating criminal justice all over the world.

As noted in Chapter 2, there are now 41 states that have some form of restorative justice principles in place. However, no American states have adopted statutes that require or presume use of restorative practices (Bazemore & O’Brien, 2005), meaning

that the option for traditional retributive practices or punishments still exists. Given this possibility, opponents to restorative justice can be appeased in knowing that the traditional methods used for certain types of crimes will not be changed. In the future there should be opportunities for research about public opinion on restorative justice programs in many of these states. It will be interesting to see how restorative justice programs and public opinion about restorative justice differ from Vermont or are similar to the pioneering state of Vermont. Comparisons to Vermont will be much more telling due to the likelihood that other states will not be as homogenous as Vermont is.

This research, along with all public opinion research, is immensely important to examine by citizens, media outlets, and especially the government. “The evidence is now strong that ordinary citizens like restorative justice”, and with the political support, the wave of restorative justice is sweeping through the United States (Braithwaite, 2000; Richards, 2011). Public opinion may not be immediately catered to in the regular course of legislative sessions, but it is inevitable that popular opinion will make its way to legal code. It is through continued education of the principles of restorative justice that this phenomenon can continue to grow and gain momentum for the future of criminal justice.

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