



Economic Sanctions in Pennsylvania

A summary of findings and
conclusions



Prior Research on Restitution

- Effect of 1995 Statutory Change
 - Increase in imposition
 - Offender characteristics did not matter
 - Trade-off with fines
- Contextual Factors
 - Method for collection
 - Location of victim-witness assistance office
- Effect of Payment



Multiple Research Methods

- Adult Cases
- Juvenile Cases
- DAVE Cases
- Victim Survey
- Offender Survey



Three Themes

- Inconsistency
- Conformity to the law
- Understanding



Adult Cases

- Six Counties

- Blair, Centre, Cumberland, Delaware, Lancaster, Westmoreland
- Varied in terms of
 - County population
 - Number of cases processed annually
 - Methods of collecting economic sanctions
 - Location in the state



Data Coding from Court Files and Probation Records

- @ 500 cases per county
- Calendar Year 2000
 - Offender characteristics
 - Case characteristics
 - Economic sanctions
 - Imposed
 - Paid



Juvenile Cases

- Four Counties
 - Centre, Cumberland, Delaware, Westmoreland
- @ 200 cases per county
- Calendar Year 2000
 - Offender characteristics
 - Case characteristics
 - Economic sanctions
 - Imposed
 - Paid



DAVE Cases

- Dependable Access for Victimization Expenses
- Allows victim service providers to file compensation claims electronically
- 278 cases in four counties
 - Centre, Cumberland, Delaware, Westmoreland



Imposition & Payment of CVC Restitution

<u>County</u>	<u>n</u>	<u>Acknowledged</u>	<u>Ordered</u>	<u>Paid</u>
■ Centre	8	50%	\$ 741 (4)	\$ 0 (2)
■ Cumberland	64	56%	\$5472 (37)	\$203 (37)
■ Delaware	122	3%	\$2301 (3)	\$ 0 (2)
■ Westmoreland	85	19%	\$3196 (16)	\$ 21 (16)



Victim Survey

- Cumberland and Lancaster Counties
- 238 Victims
- Four sections
 - Criminal victimization
 - Experience with the restitution process
 - Experience with the criminal justice system
 - Background information



Description of the Sample

- Primarily white, largely male, married, and fairly well educated
- About 60% said offender ordered to pay restitution
 - More than 25% did not know if restitution was ordered
- Most were victims of theft (42%)
- Most cases (69%) resolved through guilty plea



Results: Outcome

- Restitution ordered in 61% of cases
- Median amount ordered - \$500
- Restitution was paid
 - Completely in 22% of cases
 - Partly in 26% of cases
 - Not at all in 44% of cases
- Sentences for property crimes perceived as fairer than sentences for person crimes



Results: Process

- Notification about trial
 - 43% notified by DAs office
 - 17% notified by victim-witness services
 - 3% called to find out
 - 13% said they were not notified
- 16% testified at trial
- Learned about eligibility for restitution from victim-witness advocate (45%) and police (23%)



Results: Willingness to Report in the Future

- Positively related to
 - Understanding of process
 - Satisfaction with victim-witness advocate
 - Perceived fairness of procedures
- More input victims desired, less willing they were to report future crimes



Offender Survey

- Blair and Westmoreland Counties
- 122 Offenders
- Four sections
 - Offense and punishment
 - Economic sanctions imposed
 - Attitudes about their case and the cj system
 - Background information



Inconsistency Between Counties

- Types of economic sanctions
- Predictors of imposition
- Payment



Types of Economic Sanctions

- Automation Fee
- Act 167/State Costs
- Act 198/Prior Law
- CAT Fund
- Crime Commission Cost (CCC)
- Crime Victims Compensation (CVC)
- Community Service Insurance Fee
- Domestic Violence Cost/Act 44
- EMS
- Firearms Education Training/Act 158
- Electronic Monitoring/In Home Detention
- Judicial Computer Program
- Lab Fee
- Prison Fee
- Sheriff Costs
- Supervision Fees
- Witness Fee



Centre County Specific Economic Sanctions

- ARD Municipal Fee
- ARD Supervision Fee
- Furlough Fee
- Jail Maintenance Fee
- Municipal Fee
- Prothonotary/
Judgment Fee
- Room and Board
- TSO (Treatment of
Sex Offenders)
- Work Cost



Lancaster County Specific Economic Sanctions

- Bench Warrant
- Capias
- Clerk of Courts Fee
- Constable Surcharge
- County Costs
- County Lab Test Fee
- District Attorney
- District Attorney Administration Fee
- Impaired Driver Program
- Lancaster County Prison Weekender Fee (DUI Cases)
- Processing Fee
- Prosecution Cost
- Postage
- Subpeona



Blair County Specific Economic Sanctions

- DNA Costs
- Judgment Fee
- HSP Fee
- Judge Processing Fee
- Room/Board
- Act 204
- County ARD
- IPP Costs
- Random Testing
- State DUI
- Clerk of Court Fee
- Satisfaction
- Postage
- Constable Fee
- CVC/Restitution
- ARD, DUI, EMS
- PCCD Tuition
- Probation w/o verdict
- Non DUI IPP
- CRN



Predictors of Imposition/Payment

- DUI
- Crime severity
- Not incarcerated



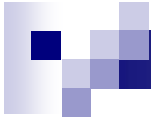
Statistics on Cases with DUI Convictions

	Centre	Cumberland	Lancaster	Luzerne
Number of Cases	126	102	129	175
Economic Sanctions Imposed	100%	100%	100%	89%
Paid in Full	83%	82%	43%	36%
Mean Amount Ordered	\$2057	\$1974	\$1686	\$1065
Mean Amount Paid	\$1687	\$1188	\$1177	\$584
CVC Imposed	99%	98%	95%	98%



- **Table 2-13. Regression Analyses
Predicting the Imposition of Crime Victims
Compensation (CVC) Across Counties**

	Blair	Centre	Cumberland	Delaware	Lancaster	Westmoreland
Mean	93%	89%	90%	97%	91%	86%
Mean <i>n</i>	407	416	444	226	493	372
Summary	0.28	-3.02**	-4.16***		-0.67	-2.28*
Felony	-0.36	8.91	-2.90	11.66	1.98*	0.61
Personal	-0.15	11.88	-8.27	10.76	1.42	-0.19
Drug	-1.04	0.67	0.41	-0.95	-1.25*	0.66
Traffic	-2.65**	1.90**	-12.94	39.36	0.27	-0.14
Other Offense	-0.46	2.45**	-9.79	12.58	-0.15	1.00
Prison	0.41	5.27	-0.43	10.72	-0.74	-2.50*
Jail	2.30*	-2.26**	3.60**	-2.82	0.06	0.10
RIP	7.69	6.51	2.06	0.03	6.06	-0.58
No Sentence	-1.23	-3.28**	2.67*	-40.65	0.22	-0.86
Non-White	-1.61*	0.40	0.05	0.01	-0.02	0.12
Age	0.02	-0.04 ^a	-0.06	0.56	-0.03	0.03
Male	-1.45	0.25	-8.63	-11.90	-0.15	0.13
Constant	5.22**	3.92***	23.66	3.48	3.17***	1.16
<i>n</i>	372	399	387	212	493	340



- **Table 2-14. Regression Analyses
Predicting the Percent of Crime Victims
Compensation (CVC) Paid in Full Across
Counties**

	Blair	Centre	Cumberland	Delaware	Westmoreland
Mean	51%	56%	68%	44%	60%
Mean <i>n</i>	378	366	401	220	180
Summary	0.23	0.60	0.37		
Felony	-0.68	-0.24	-0.47	0.75	-0.13
Personal	1.03**	0.01	0.71 ^a	-0.03	1.01 ^a
Drug	1.12*	1.03*	0.95*	-0.09	0.75
Traffic	2.69***	1.26***	1.81***	1.85**	1.10*
Other Offense	1.44***	0.59	0.73 ^a	0.80	0.44
Prison	-6.85	-0.63	-1.54*	-1.16	
Jail	-1.64***	-0.66*	-1.14**	-2.00***	-0.88*
RIP	-0.66	-1.24*	-0.65	-1.24 ^a	-0.38
No Sentence	-0.22	-1.17	-0.53	3.35	4.27
Non-White	-0.55	-0.26	-0.39	-0.53	-0.52
Age	0.01	-0.01	0.03 ^a	-0.01	0.01
Male	0.31	0.21	0.09	-0.13	1.35**
Constant	-0.97*	-0.01	0.13	0.47	-1.38 ^a
R²					
<i>n</i>	357	355	372	208	171



Conformity to the Law

- Order of payment

- Restitution
 - For investigation expenses
 - Not for insurance companies
 - DAVE Cases – reimburse PCCD
 - For cases that were plea bargained away

- Mandatory fines



Understanding

- No one person in the county can explain all of the economic sanctions
- Many victims do not know about their case
 - Restitution
 - Sentencing
- Offenders do not understand
 - How amounts are set
 - How much they owe
 - Where to pay



How well do you understand ...

(Not at all 1 7 Very Well)

Criminal sentences	4.04
Court costs	2.81
Supervision fees	2.88
Other costs & fees	2.76
Fines	2.96
Restitution	3.85
Where the money goes	2.97



Cost/Benefit Analysis

■ Benefits

- Punishment
- Rehabilitation
- Victim Restitution
- Partially Cover Criminal Justice Expenses

■ Costs

- Processing/Reminders/Warnings/Prosecution
- Victim Disappointment
- Loss of Respect for the System