# Crime Victims' Perceptions of Restitution: The Importance of

Payment and Understanding

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#### Abstract

Out of concern for victim rights and for the operation of the criminal justice system, the

Office for Victims of Crime recommends that victims should be informed, consulted, respected, and
made whole, rights that relate to informational, procedural, interactional, and distributive justice. To
test whether crime victims' satisfaction with the criminal justice system was related to their
perceptions of the fairness of the process and of their outcomes in their case, particularly with regard
to restitution, we surveyed 238 victims in two Pennsylvania counties. Results indicated that payment
of restitution, perception of fair process, and good interpersonal treatment were positively related to
victims' willingness to report crimes in the future but that satisfaction with information about the
process was not. Victims' understanding of the restitution process was a significant predictor of
willingness to report in a multivariate analysis. Understanding was more strongly related to the
victim's own actions than to the actions of personnel in the criminal justice system.

# Crime Victims' Perceptions of Restitution: The Importance of Payment and Understanding

Victims are typically the initiators of the criminal justice process, in that most police investigations begin with victims' reports. However, victims are often excluded from subsequent decision making because, under the law, crimes are committed against the state, not individual victims. Victims' omission from the process also reflects the criminal justice system's concern with protecting the constitutional rights of the accused. Moreover, the efficient operation of the criminal justice system relies on the interplay of a community of professional actors, and the victim is merely a temporary and tangential player in this ongoing enterprise.

Reforms in the past 30 years have been aimed at recognizing victims' rights and increasing the role of victims in the criminal justice system. There is also the practical concern that victims' cooperation is often needed to prosecute an offender. And future victims, who are disproportionately past victims, must report their victimizations if the criminal justice system is to be successful in identifying, prosecuting, and monitoring offenders. Despite a number of reforms, many victims still feel they are unfairly left out of the criminal justice process. This study examined whether victims' willingness to report future victimizations was related to their perceptions of the criminal justice system, focusing particularly on issues of outcome, process, treatment, and information related to restitution, since restitution is one of the primary ways to make victims whole. This information could be important for identifying policies that need to be improved.

# Victims' Decision to Report

When victims decide whether or not to report a crime, their decision rests largely on what they think reporting will accomplish. For example, among reporters of property crimes, the most common reasons given for reporting are to recover property or collect insurance (32%), to prevent this crime or to prevent further crimes (15%), or to catch or punish the offender (12%) (Matson & Klaus, 2003, Table 101). Only a small percentage (7%) report because they feel a duty to report the victimization. In fact, if victims report to realize specific goals, they are likely to be disappointed, because most reported crimes are not solved, and, even if there is a conviction, victims are unlikely to have their property restored.

However, individuals do not base their satisfaction solely on case outcomes. Research on procedural justice suggests that people also care about how they were treated. We expected that, independent of the outcome in their case, crime victims' willingness to report in the future would be influenced by the extent to which they believed that the process was fair, how much respect they felt they received, and their level of understanding of the process.

# Victims' Perception of Justice

Victims' rights groups have long advocated that, at the very least, victims must be treated fairly (e.g., President's Task Force on Victims of Crime, 1982). In 1998, the Office for Victims of Crime (OVC) recommended (a) that victims be notified about the time and location of charging, pretrial hearings, plea negotiations, trial, and sentencing, (b) that they have the right to meaningful consultation regarding all important case decisions, (c) that they have the right to be heard in major court proceedings, (d) that they receive information about their rights in a form that they can understand, and (e) that orders of restitution should be mandatory. The report also recommended that prosecutors "establish victim-witness assistance units to ensure that victims of crime receive at least a basic level of service, including information, notification, consultation, and participation" (page 83). Thus, the OVC was concerned that victims receive fair outcomes (i.e., restitution), the right to participate, respectful treatment, and information.

The OVC's recommendations link directly to four types of justice that scholars have differentiated: distributive, procedural, interactional, and informational (Colquitt, 2001). Distributive justice refers to the perceived fairness of outcomes. Individuals are upset when their outcomes are not fair according to implicit norms appropriate to the situation. For example, crime victims are likely to believe the outcome of their case is inequitable if the offender was not convicted, if the sentence was not severe enough, or if restitution was not ordered.

Procedural justice refers to the perceived fairness of the process by which decisions are made. It includes the ability to voice views and the degree of influence exercised over the outcome (Thibaut & Walker, 1975). It also includes the fairness of the process, including how information is gathered and how the decision process is structured (Leventhal, 1980). Crime victims are likely to want to give input to decision makers, even if they know that the final decisions are made by the police, prosecutor, and judge.

Interactional justice refers to the way individuals are treated during the decision making process (Bies & Moag, 1986). People who are treated with politeness, dignity, and respect are likely to feel better about an outcome, even if it is not as fair as they would like. For crime victims, interactional justice is reflected in the extent to which legal decision makers treat them with respect and sensitivity regarding the material and psychological impact of the crime.

Informational justice refers to receiving complete and truthful explanations for decisions and procedures (Bies & Moag, 1986; Shapiro, Buttner, & Barry, 1994). It also incorporates explanations that are timely and that are tailored to the level of understanding of the specific person. For crime victims, informational justice would be evidenced by victims receiving notice of legal proceedings, descriptions of what they should expect, and clarifications of what occurred.

Research suggests that individuals are concerned with all four types of justice. That is, they care about the outcomes they receive, the process by which those outcomes were reached, the way they are treated throughout the process, and the information they are given about the outcome and process. Most of the research on justice has been conducted in organizations. People who believe they are treated fairly are more likely to believe organizational authorities are legitimate and trustworthy (Colquitt, Greenberg, & Zapata-Phelan, 2005). In addition, fair treatment can mitigate the effects of unsatisfactory outcomes. In addition to preferring respectful treatment, people are also more satisfied if they receive an adequate explanation. For example, Greenberg (1990) found that employees who received an adequate explanation for a pay cut, compared to those who received no explanation, were less likely to steal from the company.

Justice has also been investigated in the context of citizens' reactions to the legal system. For example, in their analyses of four data sets, two examining citizens' opinions of the police and two examining citizens' opinions of the courts, Tyler and Huo (2002) found that people's evaluations of the police and the courts were based to some extent on the effectiveness of police and courts, but they were based to a greater degree on whether people believed the police and courts treat citizens with respect and fairness. Similarly, Sunshine and Tyler (2003) found that citizens who had greater trust in the institution of policing and of the individual officers in their neighborhood were more likely to comply with the law, cooperate with the police, and support police policies. This perception of police legitimacy was based primarily on procedural fairness (i.e., being treated with respect and without bias) rather than on distributive justice (e.g., the effectiveness of the police in fighting crime). The key implication of the study is that, because police have more control over how they treat people than over the crime rate, by treating people fairly, they can importantly influence

citizens' willingness to obey the law and to cooperate with the police in preventing and solving crime.

The present study focuses specifically on the treatment of crime victims, which has been a major concern of both state and federal policy makers. Our examination here of the distributive, procedural, interactional, and informational justice victims receive follows directly from the recommendations of the OVC (1998).

## <u>Hypotheses</u>

We expected that all four justice factors would affect victims' judgments of their interactions with the criminal justice system. Regarding distributive justice, we expected that victims would care about the defendant's sentence, about whether restitution had been ordered, and about whether restitution had been paid. We also expected that victims would be concerned about the procedures used to determine the outcomes in their case, the way they were treated, and the information they received. Procedures, treatment, and information should be especially important for victims because they are easier than distributive fairness to judge (van den Bos, Lind, Vermunt, & Wilke, 1997). In situations in which outcomes are difficult to interpret because the outcomes of others are not known, procedural information becomes the standard by which overall fairness is determined. Thus, if victims do not know what outcomes other victims receive, they are likely to rely on their judgments about procedural fairness to affect their judgments about outcome fairness. Because one important way that individuals judge procedural fairness is whether or not they had a voice about the outcome they would receive (Tyler, 1988; van den Bos, Wilke, Lind, & Vermunt, 1998), we asked individuals about the extent to which they wanted to have input with decision makers in the criminal justice system. Our primary indicator of satisfaction was indirect, in that we asked victims about their willingness to report future victimizations.

#### Method

In the summer of 2005 we surveyed victims in two Pennsylvania counties in order to determine their understanding of the sentencing process, their desire to have input to the criminal justice process, and their satisfaction with outcomes and with the Pennsylvania system for providing restitution to crime victims. All of the cases had been reported to the police, all of the victims had been contacted by victim-witness services, all of the offenders in the cases had been convicted, and restitution to the victims had been ordered in all of the cases. In the context of the criminal justice system, in which most cases do not result in convictions, our cases were successes. Thus, our results probably overestimate general victim satisfaction with the system and their willingness to report in the future.

# Description of the Survey

The self-report survey was divided into four sections. The first section asked a series of questions about the victimization: the type of victimization that occurred (e.g., burglary, theft, robbery, assault, or other) and when and where the victimization occurred. This section also included questions about the case disposition and the victim's involvement in the criminal proceedings (e.g., whether the victim testified at trial).

The second section asked victims about their experiences with the restitution process: how they became aware they were eligible for restitution, whether they completed a form to receive restitution, and who determined the amount of restitution owed to them. This section also asked victims whether the judge imposed an order of restitution, the amount and distribution of restitution imposed (i.e., the amount of restitution awarded for medical bills, lost wages, lost or stolen property, repair to property, or other), and how much restitution they had received. Furthermore, victims were asked to indicate on a four-point scale ("Very unfair," "Somewhat unfair," "Somewhat fair," "Very

fair") whether they felt the amount of restitution imposed was fair and on a seven-point scale (ranging from 1 "Not well at all" to 7 "Very well") how well they understood the restitution process.

The third section asked victims about their experiences with the criminal justice system, including the amount and quality of their contact with the police, the prosecutor/district attorney, the judge, the probation officer, and the victim-witness advocate. Also included in this section were questions about how much input victims believed they had at various stages of the criminal justice process. All of these items were rated on four-point scales ("Strongly disagree" to "Strongly agree," "Not important" to "Very important," or "Very dissatisfied" to "Very satisfied"). Respondents were also asked how much input they wanted to have with the police, prosecutor, judge, victim-witness services, and probation officer. In the last question in this section, respondents were asked, based on their experience with restitution in this case, to rate on a seven-point scale (ranging from 1 "Less likely" to 7 "More likely") their likelihood of reporting crimes in the future.

The fourth section asked about the victim's background. Included in this section were questions about the victim's gender, race, age, marital status, education, and socioeconomic status. The survey was pretested on victims who, after completing the survey, participated in structured cognitive interviews, in which they were asked about their thought process when they initially completed the items. Based on their comments, we made changes to clarify a few questions.

# Sampling

We sampled victims from two Pennsylvania counties, which were chosen because they had participated in a previous study examining the imposition and payment of economic sanctions in Pennsylvania. The fact that these two counties are among the best in the state for providing services to victims probably means that we overstate victims' knowledge of the system. In both counties, we worked with county victim-witness services personnel to obtain a list of all victims who received

orders of restitution in 2002 and 2003. In Pennsylvania, as in most states, victim-witness services contact (usually by mail) every victim that they learn of, generally by looking at police records and district attorney files.

In one county, we excluded large companies (e.g., Wal-Mart) and victims who requested but did not receive an order of restitution. This procedure yielded a sample of 514 victims. In the other county, we excluded duplicate victims, banks, insurance companies, institutional victims, police, and out-of-state businesses. This procedure yielded a sample of 523 victims. Our examination of the individuals in one county indicated that the sample given to us by victim-witness services was 60% male.

After obtaining the two samples, we mailed victims packets containing a cover letter from the victim-witness services office, two consent forms, a survey, and a one-dollar incentive. After we received the completed survey and a signed consent form, we paid the victims an additional 10 dollars for their participation.

#### Results

# **Participants**

Of the 1,037 surveys that were sent out, 238 were completed and returned (143 in the first county and 95 in the second county), for a response rate of 23%. As 124 surveys were returned as undeliverable, the response rate was 26% of those actually delivered. Although low, these response rates are consistent with other studies of victims (e.g., Orth, 2003) and with studies using a single contact, as we did here, because, based on IRB requirements, we wanted to minimize the intrusiveness to victims. In addition, Pennsylvania (and the Northeast in general) tends to have a lower response rate to surveys than the rest of the country (Groves, Fowler, Couper, Lepkowski, Singer, & Tourangeau, 2004). Of 70 comparisons between counties, only 2 were significant, a

number below what would be expected by chance. Thus, in subsequent analyses, we pooled responses across counties.

The sample was primarily white (94%), male (59%), married (67%), and fairly well educated (91% high school graduates, 35% with at least a college degree). With regard to gender, the respondents were representative of the sample given to us by victim-witness services. The sample was representative of the general population, in that according to census estimates for 2004, both counties were 94% white (U.S. Census Bureau, 2006). Our sample was slightly better educated than the general population based on census information (86% high school graduates and 28% college graduates in the first county; 77% high school graduates and 21% college graduates in the second county).

Of the 238 respondents, 24% were victims of burglary, 42% were victims of theft, 4% were victims of robbery, 12% were victims of assault, and 30% were victims of other crimes, most of which were vandalism (19%) or automobile accidents (7%). Most of the crimes (54%) occurred at the respondent's home. An additional 16% occurred at work, and 8% occurred in the respondent's neighborhood.

The defendant was reported to have been convicted in 84% of the cases, not convicted in 2% of the cases, and the respondent did not know the outcome in 11% of the cases (3% missing). Property was taken in 63% of the cases, was fully returned in 5% of the cases (8% of those in which property was taken), and was partially returned or returned damaged in 16% of the cases (26% of those in which property was taken). Victims said restitution had been ordered in 61% of the cases, most for stolen property or for repair to property. More than a quarter said they did not know whether restitution had been ordered. According to respondents, the ordered restitution ranged from 0 to  $$61,800 \ (M = $7342; Mdn = $500)$ . These figures are somewhat higher than data we had

collected from a systematic sample of all cases in these two counties in which the defendant had been ordered to pay restitution (county 1: M = \$3,277; Mdn = \\$3.59; county 2: M = \$2429; Mdn = \\$455), suggesting that the sample in this study had suffered slightly greater losses than the typical victim in the two counties.

## Measures of Justice

Table 1 presents descriptive information about the items measuring each of the four types of justice. In terms of distributive justice, the means on the four-point scales are generally low, and they become lower for agents further along in the criminal justice system. Thus, victims were most satisfied with the police outcome, followed by victim-witness services, the prosecutor and judge, and the probation officer. In general, victims did not believe the defendant's sentence was fair or that the ordered restitution was very fair (both means were less than 3 on the 4-point scale). Only 79% of the victims reported that restitution had been ordered. In fact, restitution had been ordered in all of the cases. Regarding payment of restitution, victims reported that none was paid in 48% of the cases, some was paid in 28% of the cases, and there was complete payment in 24% of the cases.

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#### Insert Table 1 about here

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In terms of procedural justice, the same general patterns are present. Thus, victims believed that agents earlier in the criminal justice system were more likely than agents later in the criminal justice system to listen to their ideas and opinions. Victims were not very satisfied with the amount of contact they had with victim-witness services or with the procedures used to determine restitution. We also included items asking victims about how much input they *wanted* to have with the police, prosecutor, judge, probation office, and victim-witness services advocate. These five items were

averaged to form a composite scale (alpha = .78). Females (M = 3.71) wanted significantly more input into the criminal justice system than did males (M = 3.48), t(227) = 3.33, p < .001.

The pattern of findings was mirrored in the results for interactional justice. Victims were most satisfied with the way they had been treated by the police and least satisfied with the way they had been treated by the probation officer. One of the reasons researchers have argued that it is important to measure interactional justice is that although people might be dissatisfied with an outcome, they might be satisfied enough with the way they had been treated that they would still view the system as legitimate. To compare interactional justice and distributive justice, we conducted paired t-tests of satisfaction with treatment and satisfaction with outcome for police, the victim-witness advocate, the prosecutor, the judge, and the probation officer. Across all stages of the criminal justice system, victims were more satisfied with process than with outcomes: (a) police: M's = 3.47 vs. 3.37, t(217) = 2.94, p < .01; (b) prosecutor: M's = 3.22 vs. 3.05, t(147) = 4.23, p < .001; (c) judge: M's = 3.19 vs. 2.97, t(78) = 3.66, p < .001; (d) probation officer: M's = 2.61 vs. 2.31, t(46) = 2.66, p < .05; (e) victim-witness advocate: M's = 3.12 vs. 3.05, t(133) = 1.78, p < .08. Similarly, victims were somewhat more satisfied with the procedure for restitution (M = 3.03) than with the amount of restitution the offender was ordered to pay (M = 2.94, t(187) = 1.72, p < .09).

Finally, in terms of informational justice, victims were not well informed. Less than half knew about the progress of their case, and only 61% knew when their trial had been held. However, most did know whether the defendant had been convicted and whether they were eligible for restitution, although in both cases the percentage should have been 100. Most victims did not feel they were kept up to date about restitution (49% said they strongly disagreed that they were kept up to date). Victims had little contact with the victim-witness advocate (58% of those who answered said they never had any contact). Concerning notification about the trial, 43% were notified by the

district attorney's office and 17% were notified by the victim-witness services office. About 3% said they called to find out, and 13% said they were not notified. Of the sample, 16% said they testified at trial (42% of the cases that went to trial). Concerning eligibility for restitution, respondents said they learned they were eligible for restitution primarily from the victim-witness advocate (45%) and the police (23%). Of the respondents, 70% said they were asked to fill out a form for restitution, and 59% of the entire group (84% of whose who had been asked) said they did complete it. Of the respondents, 46% said no one helped them complete the form.

In general, individuals reported contacting the victim-witness advocate significantly more often (M=1.60) about restitution payments than they were contacted by the victim-witness advocate (M=1.32), t(139)=3.26, p<.001. Similarly, individuals reported that they were more likely to have contacted the court themselves about the status of the restitution order (M=3.18) than they were to be contacted by the court (M=1.59), t(136)=10.14, p<.001. Contacting the court and being contacted by the court were negatively related, r(136)=-.66, p<.001, suggesting that if victims had been contacted, they did not contact the court. However, contacting the victim-witness advocate and being contacted by the victim-witness advocate were unrelated, r(139)=-.04, n.s., suggesting that victims' actions vis-a-vis the victim-witness advocate were independent of what the victim-witness advocate did.

<u>Understanding</u>. Given the concerns of the Office for Victims of Crime about whether victims understand the criminal justice process, we asked respondents how well they understood the restitution process. Victims generally did not understand the restitution process (the mean was below the midpoint of 4 on the 7-point scale). Individuals who understood the restitution process were more likely to believe the restitution ordered in their case was fair compensation, r(193) = .34, p < .001, and the restitution procedures were fair, r(209) = .25, p < .001, suggesting that

informational justice was related to both distributive and procedural justice. Understanding was unrelated to age, gender, education, and income. There was evidence that understanding was self-motivated rather than the result of actions taken by actors in the criminal justice system. That is, victims had no better understanding of restitution as a function of how they had initially come into contact with the victim-witness office, how they had been informed about restitution, or the number of times they had been contacted by the victim-witness advocate about the status of restitution payments. The only exception to this general pattern regarding interactions with the criminal justice system was that victims who said they had been asked to complete a form to receive restitution had a better understanding of the restitution process, r(227) = .21, p < .01.

Although victims generally did not understand the restitution process, there were some exceptions. Victims had a better understanding if they had had restitution ordered before (3 victims; M = 6.33) than if restitution had not been ordered before (M = 3.47), F(1, 231) = 6.10, p < .01. They also had a better understanding if a friend or relative had helped them complete the form (4 victims; M = 6.25) than if they completed the form without the help of a friend or relative (M = 3.45), F(1, 231) = 7.75, p < .01. Among those who said restitution had been ordered in their case, victims had a better understanding the more often they contacted the victim-witness advocate about the status of restitution payments due to them, r(95) = .27, p < .01.

## Willingness to Report Crimes in the Future

Our ultimate measure of victims' satisfaction with the criminal justice process was the degree to which they said they would be willing to report crimes in the future. There are problems with a single-item dependent measure, including measurement error and, as here, a measure of a behavioral intention that could be affected by numerous situational factors. However, we included the item because we wanted a more subtle indicator of satisfaction than an overt question and we wanted a

measure that carried policy implications. In general, victims said that, based on their experience with restitution in this case, they were more likely to report crimes in the future (M = 5.76; SD = 1.71). Only 22% of the sample rated their willingness to report crimes in the future at 4 or below on the 7-point scale.

Table 1 presents the correlations between the individual measures of the four types of justice and respondents' willingness to report crimes in the future. In general, respondents who were more satisfied with the measures of distributive justice, procedural justice, and interactional justice were more likely to say they would report crimes in the future. With the exception of the item assessing understanding of the restitution process, our measures of informational justice were not significantly related to willingness to report in the future.

Multivariate analyses. To determine whether the different types of justice independently predict willingness to report in the future, we conducted a multiple regression analysis. Because restitution was the focus of our survey and because we had more complete information about the justice variables relating to restitution, we used payment of restitution as an indicator of distributive justice, perceived fairness of the restitution process as an indicator of procedural justice, and understanding of the restitution process as an indicator of informational justice. We did not use perceived fairness of the amount of restitution as an indicator of distributive justice because it was highly correlated with the perceived fairness of the restitution process, r(187) = .78, p < .001. We did not have a measure of interactional justice related to restitution. We used gender and household income as control variables, because bivariate results indicated that women and higher income individuals said they would be more likely to report in the future. We also used type of crime as a control variable because results from victimization surveys show that more serious crimes are more likely to be reported.

The analysis indicated that respondents' willingness to report crimes in the future was significantly predicted by household income (beta = .17), payment of restitution (beta = .19), and understanding of the restitution process (beta = .17). Gender, type of crime, and perception of the fairness of the procedures used to determine restitution were not significant predictors. The overall model was significant, F(6, 182) = 5.07, p < .001 ( $R^2 = .143$ , Adjusted  $R^2 = .115$ ). Thus, this analysis suggests that victims who received better outcomes (i.e., more restitution) and understood the process better were more satisfied and were more likely to report crimes in the future.

## Discussion

In this study we surveyed 238 victims whose cases had resulted in a conviction and in which the defendant had been ordered to pay restitution. Our analysis of victims' perceptions of the criminal justice system found that they were more satisfied with the way they had been treated than with the outcomes they experienced. The multivariate analysis indicated that victims' willingness to report crimes in the future was affected by the outcomes they received (i.e., the payment of restitution) and by their understanding of the restitution process.

That victims care about receiving restitution is consistent with the instrumental reasons that victims in general give for why they decide to report their victimization to the police. The problem for the criminal justice system is that victims who report to achieve particular outcomes are likely to be disappointed. In our study, even though defendants had been ordered to pay restitution in all of the cases, about half of all victims had received nothing and another quarter had received only partial payment. Consistent with the recommendations of the Office for Victims of Crime (1998), Pennsylvania mandates that defendants pay restitution. But the mandatory law has not resulted in complete payment, and thus, as here, about half of victims who report in order to be made whole by the defendant are likely to be dissatisfied and to question the legitimacy of the criminal justice

process.

#### Limitations

Although our study has several strengths, including questions about different types of justice, there are also four aspects that may limit the generalizability of the results. First, our response rate was low. Our difficulty in getting victims to respond is exactly the same problem that victim-witness offices face, in that many victims do not complete the forms judges need so that they can impose restitution. The response rate was particularly low in the second county. One factor that might explain the difference in response rates between the two counties is that in the first county letters to victims were individually addressed and signed, whereas in the second county the letter was not addressed to the individual victim and the signature was photocopied.

Related to the first limitation of our low response rate is a second limitation, the relatively small sample size, particularly for analyses relating to criminal justice system personnel (e.g., judges) later in the process. Since most cases are settled by plea bargaining rather than trial, victims are not needed to testify and thus are unlikely to have much contact with courtroom personnel, particularly if they do not know of or choose not to testify at sentencing. To obtain larger samples of victims, future researchers might try using multiple mailings, although some Institutional Review Boards and victim-witness advocates might prohibit such contacts. An alternative strategy might be to increase the payments to survey respondents.

Third, there was some bias in the group of individuals who responded to the survey, in that they tended to be better educated than the general population and to have suffered somewhat larger losses than the typical crime victims in the counties. Assuming that better educated individuals would be more likely to understand the criminal justice process, this factor probably means that our findings overstate the degree to which all victims understand how restitution is determined.

Regarding the loss suffered as a result of the victimization, our findings may overstate victims' desire to act in order to recover the restitution owed them, although restitution amount was not related to how often victims contacted the victim-witness advocate or the court.

A fourth limitation of our study is our reliance on single-item measures, a problem necessitated by the fact that many of our respondents did not interact with criminal justice personnel other than the police. As a result, some of our measures may have high levels of bias and measurement error, and future studies of the criminal justice system might profitably adapt scales that have demonstrated reliability and validity (e.g., Colquitt, 2001).

# **Implications**

Victims who felt they were treated better were more likely to say they would report in the future. But there are two limitations to this finding. First, fewer individuals had contact with criminal justice agents the further in the system the case progressed. Second, in organizations, interactional justice has been found to affect individual evaluations, not organizational commitment (Colquitt, 2001). Thus, to the extent that this finding is generalizable, we would expect victims to appreciate the individual criminal justice personnel they dealt with but not necessarily to be more likely to report.

We found that victims' willingness to report in the future was influenced by how much they understood the restitution process. Our analysis suggests that actions of criminal justice agents that would help victims understand were not related to willingness to report in the future. But victims' own actions mattered, and, with only one exception, they were the only significant correlates of understanding. That understanding was driven by victims' own actions is also consistent with the fact that victims' desired input into the criminal justice system was significantly correlated with understanding, r(216) = .23, p < .001. This finding that victims' understanding of the restitution

process was the product of their own actions rather than of the actions of agents in the criminal justice system suggests that victims who were motivated enough to learn about restitution were more likely to understand the process. This implication suggests that victims were motivated by outcome (receiving restitution), not by an intrinsic desire for knowledge. But for the system to work, people (usually victims) must report. These results suggest that it is not enough to provide information, as our measures of contact from victim-witness services were unrelated to willingness to report in the future.

The implication of our results regarding informational justice is that information alone is insufficient, probably because victims do not remember what they have been told. In our study, a fifth of our respondents did not know that restitution had been ordered in their cases, a finding that is consistent with other studies showing that victims did not know or did not remember important facts. For example, Erez and Tontodonato (1990) found that 20% of victims who reported that they had not completed a victim impact statement had actually done so, as evidenced by the statement in prosecutors' files, and Davis and Smith (1994) found that only about half of individuals who had been interviewed about how the crime had affected them remembered being interviewed when asked after their case had been disposed of. Information given to crime victims who are unfamiliar with the system is not likely to be well remembered. Our finding that the few victims who had received restitution before or who received help from friends or relatives in completing the form understood the restitution process better than those who did not suggests that victims who have a single contact with victim-witness services are unlikely to know how the system works.

Almost certainly, there was more contact with victim-witness services and with other criminal justice actors than what respondents remembered. That victims forget their interactions with criminal justice agents is somewhat understandable, especially if that contact occurred early in

the process, when they were still traumatized or confused. However, an action they have to take, such as filling out a piece of paper, or something provided to them that they can refer to later on may help them remember and understand those interactions.

From a policy standpoint, the primary rationale for treating people fairly is that procedural justice is likely to lead people to believe that the system is legitimate and that they should act because it is the right thing to do rather than because certain rewards are likely to follow (Tyler & Huo, 2002). For victims in the criminal justice system, the implicit promise of restitution may be self-defeating, in that most offenders are not likely to be caught and convicted, and of those who are, most will not pay the restitution they owe.

Victims who understand the criminal justice process will know that in many instances reporting crimes and participating in the process is unlikely to have much effect on their case. Calls for reform by the Office for Victims of Crime and others may be giving victims too much hope, both for the outcomes and the process they are likely to experience. Because victims are only temporary players in the system, it is easy to dismiss their needs. But the system relies on victims to initiate the criminal justice process, and it is important that victims understand not only what benefits they are likely to gain by reporting but also what goals are not likely to be achieved.

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Table 1. Correlations between Measures of Justice and Willingness to Report Crimes in the Future

$\mathbf{Variable}^a$	Mean	n	Correlation with Willingness to Report in the Future
Distributive Justice			
Satisfied with police outcome	3.38	213	.22***
Satisfied with victim/witness outcome	3.00	136	.21*
Satisfied with prosecution outcome	2.79	115	.29***
Satisfied with judge outcome	2.90	88	.37***
Satisfied with probation officer outcome	1.92	48	.29*
Fairness of sentence imposed on defendant	2.67	204	.14#
Was restitution ordered? (yes =1)	.79	226	.06
Was restitution fair compensation	2.91	190	.13#
Has restitution been paid? (no = $0$ , some = $1$ , yes = $2$ )	.76	216	.24***
Procedural Justice			
Police listened to my ideas & opinions	3.06	172	.20**
Victim/witness advocate listened to my ideas & opinions	2.82	108	.15
Prosecutor listened to my ideas & opinions	2.79	115	.29**
Judge listened to my ideas & opinions	2.49	79	.31**
Probation officer listened to my ideas & opinions	1.92	48	.29*
Court listened to my loss estimate	2.87	151	.17*
Satisfied with amount of victim/witness contact	2.72	134	.33***
Fairness of restitution procedures	3.01	208	.18**
Victim's composite desire for input to the system	3.58	225	.26***
Interactional Justice			
Satisfaction with treatment by police	3.45	218	.13#
Satisfaction with treatment by victim/witness advocate	3.13	131	.14
Satisfaction with treatment by prosecutor	3.17	145	.31***
Satisfaction with treatment by judge	3.15	77	.45***
Satisfaction with treatment by probation officer	2.63	48	.38**
Informational Justice			
Informed about trial date (yes $= 1$ )	.61	216	.08
Know whether defendant was convicted (yes $= 1$ )	.86	231	.05
Informed about progress of case (yes = 1)	.48	231	01
Informed about eligibility for restitution (yes = 1)	.86	231	.02
Understood the restitution process (7-point scale)	3.50	227	.25***
Kept up-to-date on status of restitution still owed	1.65	180	.13#
Amount of contact by victim/witness advocate about restitution	1.31	136	02

<sup>&</sup>lt;sup>a</sup>All items are on 4-point scales except where indicated.

<sup>#</sup> p < .08

<sup>\*</sup> p < .05

<sup>\*\*</sup>p < .01

<sup>\*\*\*</sup>p < .001