



The Impacts of the Make-it-Right Program on Recidivism

YOTAM SHEM-TOV, STEVEN RAPHAEL, AND ALISSA SKOG

The Make-it-Right (MIR) restorative justice conferencing program serves youth ages 13 to 17 who would have otherwise faced relatively serious felony charges (e.g., burglary, assault, unlawful taking of a vehicle). Following extensive preparation, participating youth meet with the people they have harmed or a surrogate, accept responsibility for the impact of their actions, and come to an agreement for how the youth can repair to the greatest extent possible the harm they caused. If the youth follow through with the repair actions outlined in the agreement, charges against them are never filed. If they do not, they face traditional juvenile felony prosecution. In this study, eligible youth were randomly assigned to participate in MIR or to a control group in which they faced felony prosecution. We find that youth given the opportunity to participate in MIR had a 19-percentage-point lower likelihood of a rearrest within six months, a 44 percent reduction relative to the control group of youth who were prosecuted in the traditional juvenile justice system. The reduction in justice-system contact persists even four years after the offer of participation, providing strong evidence that restorative justice community conferencing can reduce subsequent justice-system involvement among youth charged with relatively serious offenses and can be an effective alternative to traditional prosecution.

RESTORATIVE JUSTICE CONFERENCING

Restorative Community Conferencing (RCC) is an alternative to standard case processing that emphasizes accountability through repairing harm rather than imposing sanctions. While restorative justice practices take many forms, programs designed to divert cases away from the criminal and juvenile justice systems usually involve intensive preparation followed by direct conferencing between the person responsible for the harm (responsible party), the victim/survivor (harmed party), and supporters of both parties, resulting in an agreement whereby the accused person makes amends for the harm through a mutually agreed-upon set of actions. The RCC process involves the accused person taking responsibility for their actions and engaging in dialogue about the impacts of their actions with

those who they have harmed, as well as family and other community members.

The current evidence on the effectiveness of restorative justice programming in reducing recidivism is mixed. Some studies find reductions in recidivism, others find no effects, and some find small increases for individuals diverted to a restorative justice process. Despite growing demand for alternatives to traditional criminal and juvenile justice practices, it is unclear when and if restorative justice alternatives can be an effective tool for reducing recidivism. This study evaluates the effectiveness of a restorative justice community conferencing program for juveniles using a randomized control trial (RCT).



Photo credit: Community Works

THE MAKE-IT-RIGHT PROGRAM

The San Francisco District Attorney (SFDA) teamed with [Community Works](#) (CW) and [Huckleberry Youth](#), two Bay Area nonprofits supporting youth involved in the criminal-legal system, to pilot the MIR program at the end of 2013. **MIR is a pre-charging diversion program:** youth whom the prosecutor otherwise would have charged with certain felony offenses are diverted to this RCC program.

Conferencing involves a dialogue between the youth, their family, the person harmed, and a community representative, facilitated by CW and ultimately leading to an agreed-upon plan for addressing the harm imposed during the incident. The agreement can include writing formal letters of apology, paying restitution, agreeing to specific community service, and/or tailored actions of good faith. Youth also participate in post-conference case management and agreements monitoring, managed by Huckleberry Youth's Community Assessment and Resource Center. If the youth completes the requirements of the program and the provisions of their RCC agreements, the SFDA does not file formal charges against them. Youth who fail to follow through with the program have their cases referred back to SFDA for felony prosecution.

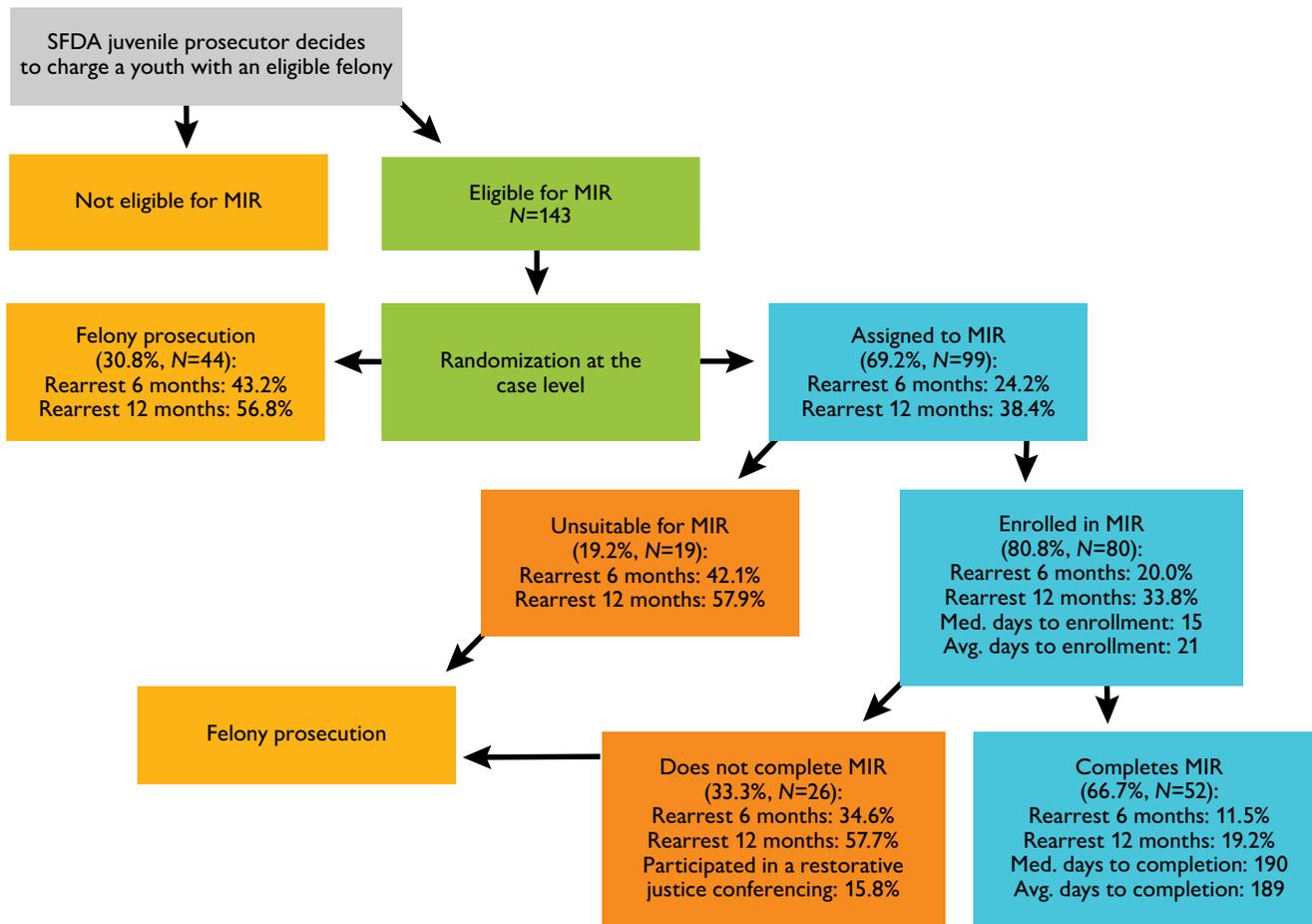
THE STUDY

The SFDA and CW partnered with the California Policy Lab to conduct an [RCT](#) to learn about the impact of MIR. During the study period, after the juvenile prosecutor reached the decision to file charges but before charges were formally filed, eligible youth were randomly assigned to receive an offer to participate in MIR (treatment group) or to not receive that offer and instead be processed through traditional juvenile prosecution (control group). All the individuals in the control group faced charges, as did youth given the opportunity to participate in MIR but who did not enroll or who enrolled, but did not complete the program.

Once assigned to MIR, CW assessed the youth's ability to participate. An essential requirement for participation was that the youth demonstrate capacity for reflection and an openness to taking responsibility for their actions. If the youth was deemed unsuitable or unable to participate, the case was referred back to the SFDA for traditional prosecution. Young people and their parents or legal guardians could decline to participate, effectively opting for the case to be referred back to the SFDA for prosecution.

In total, 143 cases were deemed eligible between 2013 and 2019, with 99 (69.2 percent of study subjects) randomly referred to MIR and 44 (30.8 percent) randomly referred to face traditional prosecution ([Figure 1](#)). Youth assigned to MIR either enroll in the program or are deemed unsuitable. Lack of family support was a common reason why youth were not able to commit to the RCC process.

FIGURE 1. Case flow through the different treatments in the Make-it-Right study



FINDINGS

MIR had high program enrollment and completion

The MIR enrollment rate was high: four out of five of those referred to MIR enrolled in the program. In contrast, other RCTs of restorative juvenile justice programs in the US found average enrollment rates below 50 percent (see [full study](#) for a summary). The higher rate may reflect the fact that MIR study youth are alleged to have committed more serious offenses relative to youth enrolled in prior programs under study, and face felony prosecution and potentially severe sanctions if they chose not to participate in conferencing. Alternatively, youth who have committed more

serious offenses may be more remorseful and perhaps more amenable to the self-reflection required by the intervention.

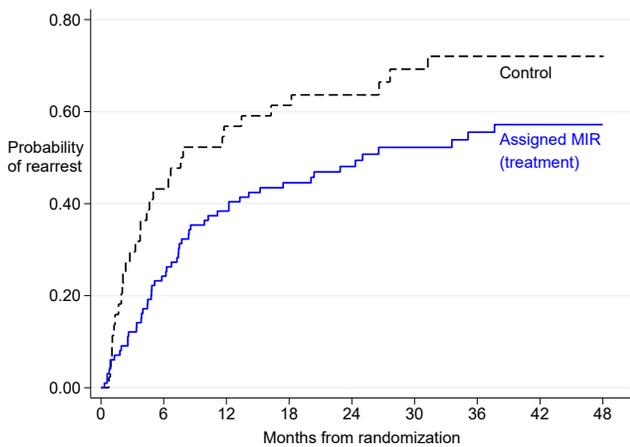
Overall, 52.5 percent of those given the opportunity to participate in MIR completed the program and ultimately did not face juvenile prosecution. Among youth who participated in a restorative community conference, 95 percent followed through on their agreements and completed the program. There are several reasons why youth might not complete the program. For example, the youth and the harmed party might not reach an agreement during the conference, or the youth may not fulfill the accountability plan agreed upon with the harmed party during the conference.

MIR leads to declines in rearrest

Figure 2 shows how the probability of being rearrested changes over time for the group offered to participate in MIR compared to the group experiencing traditional juvenile prosecution.

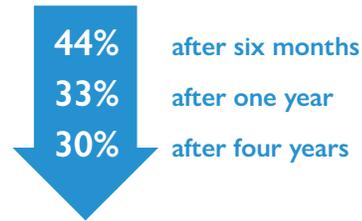
Nearly half of the control group was rearrested within six months of randomization and over 70 percent were rearrested by the end of the four-year period. The rearrest rates are markedly lower for youth in the treatment group (those given the option to participate in MIR): the rearrest rate for the MIR group is approximately 20 percentage-points lower than the control group at six months, and this difference continued for four years following the offer to participate.

FIGURE 2. Probability of rearrest in the four years following the offer to participate in Make-it-Right



Note. All outcomes are measured from the date that youth are randomized to either receive an offer to participate in MIR (the treatment group) or are instead processed through traditional juvenile prosecution (control group). Rearrest is defined as a new arrest in San Francisco.

Assignment to Make-it-Right reduces rearrests by:



An offer to participate in MIR reduces the likelihood of rearrest by 18.9 percentage points within the first six months, 18.4 percentage point within the first year, and 14.4 percentage points within the first two years. Relative to young people who were not given an offer to participate in MIR and were prosecuted, these effect sizes imply a 44 percent, 33 percent, and 23 percent reduction in recidivism, respectively. The overall effect sizes persist at three years following the date of program offer (14.7 percentage points or 20 percent less than youth not given an offer to participate) and widens at four years (26.7 percentage points or 30 percent less than youth not given the offer to participate).

Completion of the program likely drives the declines in arrest

Figure 1 suggests that the reduction in arrest rates among youth given the offer to participate in the MIR program is likely driven by the youth who enrolled in the program and completed the agreement. The 12-month rearrest rates among youth who completed is much lower (19.2 percent) than those who enrolled but did not complete (57.7 percent). While these substantial differences suggest MIR transforms the outcomes for the youth involved, it's also possible that youth who complete the program and youth who do not may be different in other ways that contribute to differences in subsequent arrest rates.

DISCUSSION

This study finds large effects of the MIR restorative justice community conferencing program on recidivism among juveniles arrested on felony charges. What might be driving these large changes in recidivism? First, the MIR program served youth charged with more serious offenses that would usually make them ineligible for similar restorative justice programs. It may be the case that youth charged with serious offenses are more likely to be rearrested in the future than youth charged with less serious offenses, therefore there is simply more opportunity to reduce the likelihood of future arrests among this group. In addition, interventions targeted at less serious offenses may widen the net of the criminal justice system and apply an intensive intervention in instances that do not merit it.

Second, unlike prior restorative justice studies where youth assigned to the control group were funneled into various diversion programs, in this study, youth who were not given an offer to participate in MIR faced felony prosecution. Moreover, youth who were given the offer to participate but declined to do so or who did not successfully complete MIR also faced felony prosecution. We suspect that the high enrollment and completion rates were driven by the potential for serious sanctions.

To conclude, **our findings show that juvenile restorative justice community conferencing can reduce recidivism among youth charged with serious offenses and be an effective alternative to traditional juvenile justice practices.**

This policy brief is based on a working paper on this study, which can be downloaded [here](#).

The MIR program is still active in San Francisco. Since the conclusion of the research experiment, the program has expanded to include people up to 25 years old and increased the list of eligible charges.

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