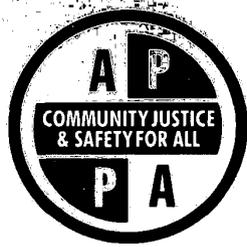


**COMMUNITY
JUSTICE**
**Concepts
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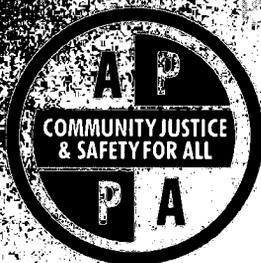
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**By the
American Probation
and Parole Association**

**COMMUNITY
JUSTICE**

**Concepts
and
Strategies**



**By the
American Probation
and Parole Association**

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Points of view in this document are those of the author(s)
and do not necessarily represent the official position of the U. S. Department of Justice.

CONTRIBUTING AUTHORS

Eduardo Barajas, Jr., National Institute of Corrections

Gordon Bazemore, Florida Atlantic University

Mark Carey, Dakota County, Minnesota

Ronald P. Corbett, Jr., Massachusetts Probation Department

Susan E. Day, Florida Youth Restoration Project

Michael J. Dooley, National Institute of Corrections/Academy

Hillary S. Efke, National Center for State Courts

Tracy M. Godwin, American Probation and Parole Association

Heike Gramckow, American Prosecutors Research Institute

Carl Harbaugh, Community Policing Consortium

National Crime Prevention Council

Dennis Maloney, Deschutes County Oregon, Department of Community Justice

Rhonda Mims, American Prosecutors Research Institute

John Perry, Vermont Department of Corrections

Kay Pranis, Minnesota Department of Corrections

David B. Rottman, National Center for State Courts

Lynne Walther, Vermont Department of Corrections

PROJECT STAFF

Karen L. Dunlap
Project Director/Editor

Tracy M. Godwin
Research Associate

Carl A. Wicklund
Project Administrator

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American Probation and Parole Association

APPA'S Vision

We see a fair, just and safe society where community partnerships are restoring hope by embracing a balance of prevention, intervention, and advocacy.

We seek to create a system of Community Justice where:

- **A full range of sanctions and services** provides public safety by insuring humane, effective, and individualized sentences for offenders, and support and protection for victims;
- **Primary prevention initiatives** are cultivated through our leadership and guidance;
- **Our communities are empowered** to own and participate in solutions;
- **Results** are measured and direct our service delivery;
- **Dignity and respect** describe how each person is treated;
- **Staff are empowered** and supported in an environment of honesty, inclusion, and respect for differences; and
- **Partnerships with stakeholders** lead to shared ownership of our vision.

COMMUNITY JUSTICE CONCEPTS AND STRATEGIES

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Some of the newest applications of justice in the community are truly connecting the justice system and the public in unique ways. These practices are serving as bridges, gates, and pathways to integrate system and community objectives to such a point that they are being blended into one indistinguishable outcome: justice.

Mark Carey, (1997, p. 5)

A HISTORICAL PERSPECTIVE

Billions of dollars are spent annually in the United States, its territories, and Canada to arrest, prosecute, and punish law violators. However, our ancestors and some present-day indigenous people may have found more effective ways to achieve *justice*. Synonyms of justice include fairness, equity, fair play, and impartiality. However, contemplation of these terms begs the question, "Justice for whom and fairness to whom?" (Crowe, 1998).

Among the earliest written codes of law is the Code of Hammurabi. During the rule of King Hammurabi of Babylon (1792 to 1750 B.C.) an extensive written code of laws was engraved in stone. It consisted of a collection of 282 judgments used in actual cases that subsequently became the jurisprudence of the land. These applied to situations that would be defined today as both criminal and civil law matters. Principles undergirding this code included "the strong should not injure the weak and . . . punishment should fit the crime." Laws often prescribed "an eye for an eye, a tooth for a tooth" (The New Grolier Multimedia Encyclopedia, 1993). Based on these case laws, if someone wronged another, repayment, often with interest, or a punishment in kind was required (Klein, 1996).

On the way to their current status, United States and Canadian laws were influenced by many legal perspectives, primarily Roman Law, religious canons, and English common law. King William I, who conquered England in 1066 imposed royal authority on the courts to ensure the supremacy of the king. He decreed that crimes were a disruption "of the King's peace." Thereafter, offenders were held accountable to the King's Courts, rather than to their victims and communities. This system secured the king's power over his subjects and increased his wealth through the collection of fines paid to the court rather than restitution being paid to victims (Quinn, 1996).

American jurisprudence adopted the English system by evolving into a system that is controlled by the state and focused on the offender. This perspective has resulted in a burgeoning criminal justice system that each year processes millions of cases and increasingly incarcerates, supervises, and "treats" larger numbers of offenders. The victims' rights movement, which began in the 1970s, has focused attention on the missing pieces of the system – the wronged victim and the community (Klein, 1996).

Presently, the criminal justice system finds itself being defined and shaped by several ideologies that often compete for prominence but are not necessarily mutually exclusive. These ideologies include:

- Deterrence, retribution, and incapacitation to punish offenders, thus theoretically meeting the needs of the State and assuaging citizens' fears of crime.
- Rehabilitation of offenders to reduce recidivism and prevent future criminal acts.
- Restoration of victims and communities and reparation of the harm caused by the offense.

Although the restoration of victims and communities is the least adhered to ideology, this perspective is gaining acceptance as an overarching principle for the implementation of a justice system, returning us full circle to our earliest roots and perhaps the truest meaning of justice (Crowe, 1998).

Changing Communities

In the past, families often gathered together on the front porch of the house, maybe sitting on a swing or on the steps, looking out into the community and down the street; they were involved with their neighbors and community. In the 1970s, American society became more mobile. The current generation will move an average of 14 times during their lives. The composition of American neighborhoods is changing constantly, decreasing personal ties among neighbors and confusing the concept of "neighborhood." Rather than sitting on the front porch, where they can interact with others, families are sitting on the patios in their backyards, which often are fenced in, preventing contact with others and perpetuating isolation from neighbors.

Mark Carey (1997, p.5) states that isolation "...breeds unfamiliarity, which leads to the loss of trust and further isolation. This cycle creates fertile ground for crime to grow, thus accelerating a spiraling effect." Normally relationships are established by following cultural norms and societal mores determined acceptable by our communities. As these norms are established, laws are developed to govern and control behavior, relationships, and community standards. Traditionally, crime is a violation of our written penal laws and, therefore, the norms and mores of our communities. If communities have reverted to isolation, are they still the developer of norms, or are norms and relationship standards developed by ideologically limited, politically motivated special interest groups? Do we focus blame on government and unknown others for crime? Do we demonize the unknown offender? Have we given up; or do community members have a responsibility to work together to repair the harm caused to a victim, to hold an offender accountable, and to show equal concern and commitment to victims and offenders, balancing involvement of both in the process of justice?

Changing Justice From Community-Based to Community-Driven

Numerous traditional community-based programs began during the community corrections movement of the 1970s. Nonviolent, property offen-

ders were placed on community supervision in an effort to alleviate prison crowding and to provide courts and parole boards with additional options. However, community-based programs often failed to include the community in which the offender resided. Community-based programs, though placed in the community, were considered to be detrimental to both the offenders and the community they were designed to serve. Traditional or community-based programs were often:

- *One-dimensional mindset.* Offenders are, first and foremost, viewed as criminals; individual characteristics of offenders are viewed as the primary cause of crime and, therefore, as the primary target of change.
- *Closed-system approach.* Dyadic relationship between offender and community corrections; restricts information from going to the community.
- *Offender reform is goal.* Requires changes in the offender, and conformity to accepted community standards (Fulton, 1996).

Community justice programs are developing truly *community-focused* or *community-driven* corrections programs. Most importantly, the programs are located in the communities, requiring involvement with the offender's environment, expanding the offender's support system within the community and advocating services. Community-driven/community-focused¹ programs are:

- *Multi-dimensional mindset.* Offenders are viewed as fathers, daughters, drug addicts, employees; individual characteristics, family dynamics, and community structure and organization are viewed as contributors to crime and, therefore, as equally important targets of change.
- *Open-system approach.* Information is shared with community members and organizations as a means to expand the network of support for offenders and to protect the community.
- *Offender reintegration is goal.* Requires changes in the offender, e.g., attitudinal and behavioral, and the community, e.g., acceptance, support, opportunity (Fulton, 1996).

A significant departure in practice of the Community Justice Model from the traditional criminal justice system is its reliance on active citizen involvement rather than on exclusive management of the system by bureaucracies (Bazemore and Day, 1996). At the individual case level, this translates to opportunities for victim-offender mediation, increased attention to victim restitution, development of offenders' pro-social skills, and changes in offender cognition that replace criminal thinking and behavior. At the community level, it requires increased responsibility by all citizens for providing the services and mechanisms needed for community safety and satisfaction. This may include increasing job opportunities, closing crack houses, cleaning up parks, providing child care for working mothers, providing mental health or substance abuse treatment, or other community-

¹ The original citation indicates community-placed and community-based; however, the reference has been modified to community-based and community-focused or community-driven.

selected approaches. At the criminal justice system level, a Community Justice Model means including citizens in general, and victims in particular, in the policy development and practice implementation. Community justice requires focusing on community partnerships to meet the needs of victims and citizens, to hold offenders accountable, and to provide prevention programs for a safe community. Community justice also demands a change from system isolation and exclusivity to one of open and active communication, co-operation, and collaboration.

A Systems Approach

Community justice is a proactive systems approach which emphasizes community partnerships and crime prevention. Justice professionals, who are attempting to engage the justice system and the public in unique partnerships, are looking at new ways to view their work and considering new ways of doing the business of justice. In the process, they are shaping a process of change. Change creates turmoil and disruption and is not normally something that is intentionally sought. Nevertheless, lack of public confidence in the current criminal and juvenile justice systems demands change. Visionary criminal justice protagonists are refocusing or reinventing the system to have an impact not only on providing offender control and punishment but also on offender competency development, victim restoration, and community involvement.

In the Community Justice Model, the community is the ultimate customer, and justice professionals must modify their perspective from thinking of themselves as experts to actively engaging the community in problem solving by becoming partners with the community. Through community engagement, justice professionals have implemented practices which hold criminals and delinquents accountable for their actions, develop responses that address repairing the harm to victims, and promote and enhance community safety through community partnerships and crime prevention.

USING THIS BOOK

Designed to provide the reader with a basic understanding of community justice and strategies for community engagement, *Community Justice Concepts and Strategies* is a compilation of information from justice professionals, agencies, and communities who have successfully advocated for and/or formed community partnerships. The compendium provides theory, practical information, and examples of a non-traditional, proactive approaches to criminal justice emphasizing crime prevention and community partnerships. Community partnerships allow individuals and justice agencies to

- share information;
- coordinate, cooperate and collaborate;
- problem solving;
- develop community supported programs;

- increase public safety;
- provide prevention activities;
- assist in repairing harm to the victim and the community;
- provide offender accountability;
- expand the network of community support; and
- create safe and vital communities.

Examples of programs are provided to illustrate initiatives developed by justice agencies and community partnerships with a goal of creating safe and vital communities by assessing the needs of the community, listening to victims, engaging community members, and focusing on community safety through offender competency development and accountability.

Communities are unique; each has different demographics, needs, and problems. What works in one community may not work in another. Therefore, it is not possible to implement a program that will work the same way in every community.

Community Justice Concepts and Strategies will not provide a sample program for replication, or a step-by-step process that can be followed for active community involvement and the establishment of a community justice program. What it will provide is threefold:

1. Specific chapters written by professionals illustrating their experiences with community justice in a specific arena, i.e., restorative justice, community policing, community courts, community prosecution, community corrections, and victim services.
2. Information on how to engage the community and the process necessary for building a foundation for the development of community justice.
3. Personal examples of transition to community justice, not replacing an existing system but one that engages the community as an equal partner in moving from community corrections to community justice.

Divided into three modules, the compendium, provides practical examples of community partnerships and describe the process for a new way of doing the business of justice — “community justice.”

Module I: Concepts And Strategies for Community Partnerships and Crime Prevention

The theoretical concepts and guiding principles of two important components of community justice are described — community partnerships and crime prevention. Chapters in Module I

- provide an introduction to the concept of community justice and describe how jurisdictions are in transition from a community-based justice system to a community-driven justice system that is rooted in the community and is a uniquely individual process in each community;
- discuss crime prevention and community involvement as key initiatives directed toward a safe and vital community;

- describe the tenets of restorative justice, including the guiding principles and values;
- review the crime victims' role in community justice;
- explain how balanced and restorative justice can be used to reengage the community in the juvenile justice process; and
- outline the process of mobilizing the community, establishing a community planning team, and developing a community justice comprehensive plan.

Module II: Community Justice — Practical Applications In Non-Correctional Settings

In Module II, examples of community partnerships in non-correctional settings are provided including community policing, community courts, and community prosecution. It also describes how the concept of community justice is being applied on a practical level in jurisdictions across the United States. Chapters in Module II examine

- how successful problem solving programs and community partnerships are formed in non-correctional settings;
- how to bring an empowered community into an active relationship; and
- how to involve community members in identification of community problems and solutions for both the criminal and juvenile justice systems.

Module III: Transitions To Community Justice — Personal Perspectives

Personal examples of transition from community corrections to community justice are provided by both adult and juvenile justice practitioners who have experienced, or are experiencing, the transition to community justice in their jurisdictions. Each chapter discusses problems faced, changes required, and advancements made in their transition. In particular, Module III offers an inside look at what can be accomplished when communities are invited to participate as partners in the justice system. Chapters in Module III

- outline the partnership between the Boston police departments Gang Unit and juvenile probation officers working the streets together in "Operation Night Light;"
- delineate the process used in Vermont to establish reparative boards, which involve the community in the sentencing of offenders;
- detail the new role of a community justice liaison for probation and parole officers;
- describe the organizational change in Deschutes County, Oregon, from a department of community corrections to a department of community justice; and
- provides an overview of the keynote address delivered by Mark Carey at the 23rd Annual APPA Training Institute held in Norfolk, Virginia, August 30 - September 2, 1998, entitled "Building Hope Through Community Justice."

CONCLUSION

Community justice can be seen in many neighborhoods, whether it be one of aboriginal justice, indigenous justice, neighborhood cohesiveness or community partnerships. Criminal and juvenile justice agencies are reaching out and inviting citizens and other agencies to join together in shaping communities and have a positive impact on community safety.

Community Justice Concepts and Strategies is a guidebook to understanding the systems approach to community justice. Is it time to invite the community to be an active participant in justice? What will the future look like in your community? Maybe it is time to simply ask the question and see where it leads.

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CONCEPTS AND STRATEGIES FOR COMMUNITY PARTNERSHIPS AND CRIME PREVENTION

Module I provides an overview of the “community justice” concept and describes how some jurisdictions are in transition from a community-placed justice system to a community-driven justice system that is rooted in the community and is a uniquely individual process in each community. Community justice is a community directed, open systems approach in which justice agencies and community members unite to facilitate problem solving, provide education, implement prevention initiatives, and encourage accountability for offenders, with the end goal of creating safe and vital communities. Community justice initiatives may include, but are not limited to, problem solving through community partnerships and crime prevention programs.

Justice professionals have not reached a consensus on the definition of community justice. As in many aspects of life, we know what we want when we see it, but we all have different paths to walk to reach the end goal — enhanced public safety.

It should be noted that “community justice” and “restorative justice” often are used as synonymous terms, when in actuality they are not necessarily interchangeable. Community justice has an impact on the system in which we work, and restorative justice has an impact on how we do that work. In other words, community justice provides a system that is inclusive and seeks partnerships with the community for prevention of and response to the overall issue of crime. Restorative justice focuses on the repair of the harm to the victim and community and improvement of the prosocial competencies of the offender as a result of a damaging act.

Providing an introduction to the concept of community justice, chapters included in Module I discuss issues including:

- the guiding principles and core values of community justice,
- a model for community justice,
- principles of crime prevention,
- the effectiveness of community crime prevention,
- the guiding principles and core values of restorative justice,
- the stages of involvement between justice systems and the community,
- core components of victim services in the justice system,
- the goals of balanced and restorative justice in a juvenile justice system, and
- goals for organizing and involving the community.

COMMUNITY JUSTICE: AN EMERGING CONCEPT AND PRACTICE

Eduardo Barajas, Jr.

Correctional Program Specialist
National Institute of Corrections

If a call for community justice has taught us anything, it is that the community has diverse needs and wants. As well, the community has a fair amount of tolerance for a balanced approach towards criminal justice. The community, however, is not particularly interested in ideological purism either for the rehabilitation or the punishment side. Thus, in the final analysis, correctional programs need to account for their ability or inability to provide a product or a service that is valued by society.

Remember, if we pay careful attention to the needs and wants of the community, it will be possible to have sensible discussions about outcomes, our everyday work and our future directions. The question is not whether to punish or rehabilitate... the two need not, nor should they, be mutually exclusive.

Mario A. Papanozzi, President
American Probation and Parole Association
Perspectives, (1998, Summer)

WHAT EXACTLY IS COMMUNITY JUSTICE?

That question is being asked more frequently by criminal and juvenile justice professionals. Although the term "community justice" is not a new one, it has never been fully defined. Most traditional definitions of community justice do not extend much beyond the limited, and somewhat vague, boundaries of "community involvement with the justice system." In recent years, there has been an attempt to define the phrase within the terms of current emerging concepts and practices in criminal justice.

If the "community" is the nexus of community justice, then the definition of community justice ultimately must come from each individual community. Nonetheless, justice professionals need to be very clear about what it is that they are promoting if they choose to promote the concept and practice of community justice.

The National Institute of Corrections (NIC) has defined community justice as a criminal justice philosophy and method encompassing different emerging concepts of criminal justice that share common ideals and principles. These include, but are not limited to, restorative justice, victim services, and community policing principles. Community justice attempts to both prevent crime from occurring, as well as to respond in a reparative manner when it does occur.

Justice professionals are beginning to embrace this evolving notion of justice, which taps into an intrinsic desire in all of us to contribute to the common good. For this reason, it is imperative that we understand what community justice is and what it is not. It is not a new way of practicing the old business. It is a new way of viewing the business of justice by placing the

community and victims at the center of justice activities and efforts. As a result, this new paradigm of justice practice has resonated with citizens and victims who have previously been ignored in the justice process.

The criminal and juvenile justice system already is experiencing change as practitioners develop creative means of addressing problems. Agencies and individuals are beginning to realize that the crime problem in our society is too complex to address in isolation from other justice and social service components. The community must be engaged in the process. Solutions can only be attained by combining and coordinating appropriate responses and by forming problem solving partnerships.

A NEW TYPE OF JUSTICE SYSTEM

A revolution is occurring in criminal justice. Some quiet, grass roots, seemingly unobtrusive, but truly revolutionary movement is changing the very nature and fabric of our work. Many theories regarding crime and criminal behavior have been advanced throughout the recent history of criminal justice. The criminal justice system has, in turn, developed and implemented changes based on some of those theories. Although these changes have led to creative innovations, they seldom have changed the basic nature of the business of criminal justice. What is occurring now is more than innovative; it is truly inventive. A paradigm shift is changing the focus of the work of criminal justice away from the offender exclusively and toward the community and victim(s).

Because crime continues to plague our society, a better understanding of the problem is needed, as well as guidance toward reasonable progress in solving it. Something beyond the scope of a new theory is required. As John Dilulio (1993, p.5) states:

A paradigm is broader than a theory. A theory is a statement about a relationship between two or more variables that is supposed to hold under specific conditions. A new paradigm orients general understanding to historical, empirical, or normative realities that a prevailing paradigm has arguably de-emphasized, devalued, or simply ignored. In essence, to call for a new paradigm is to appeal for new concepts and categories of thinking about a given subject.

The call for a new paradigm is being spearheaded by citizens and victims who feel left out of the criminal justice process. Citizens might not articulate their frustration in terms of a need for a paradigm shift, but at the heart of their anger and dissatisfaction is the feeling that the criminal justice system does not represent their interests. Criminal justice professionals often express a corresponding frustration with the public's "hysteria" resulting in "get tough" legislation related to crime control. The public (community) is often viewed as an outside obstruction that must be "sold" on new policies by criminal justice "experts." When the public fails to buy into such policies, the frustration and rift between the public and criminal justice increases.

Not only is there a rift between the public and criminal justice but also within

the criminal justice profession. We must address these issues in order to move forward, rather than remain in a system that is fragmented, lacks a clear mission, and seems to provide little value to the public it is sworn to protect. In order to solve the problem, its nature and source should be understood.

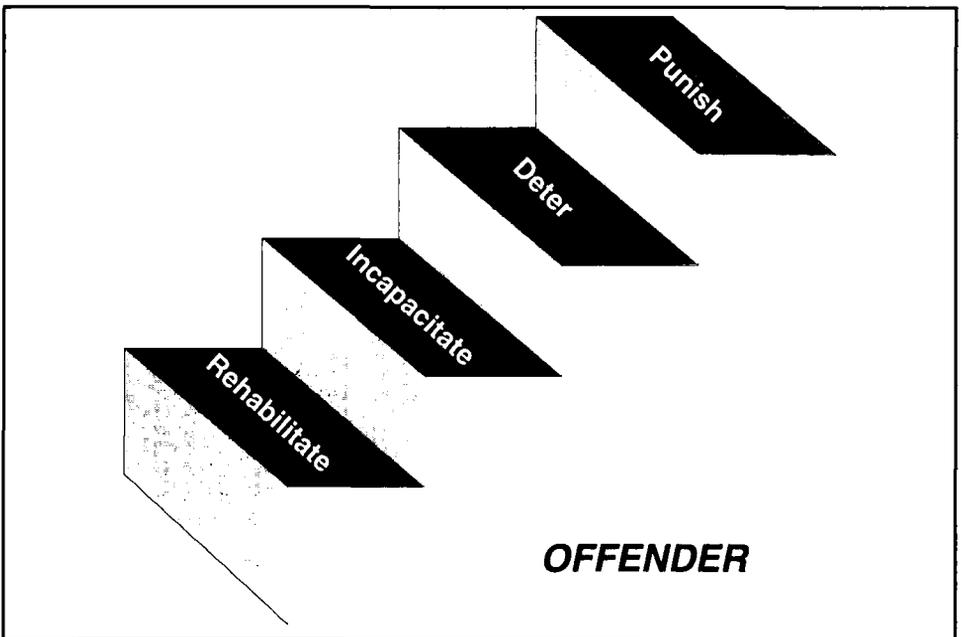
Toward a New Paradigm of Justice

The current paradigm of criminal justice is focused on the offender. Multiple, contradictory, and competing purposes of work are expressed in terms of things to be done to or done for offenders. This offender focus is at the core of the public's frustration. The frustration is manifested in statements that the criminal justice system is aptly named, because it represents the interests of the criminal (i.e., offender) rather than the public or victim. The following model, Figure 1, illustrates the current offender-centered criminal justice paradigm.

From the standpoint of the community and victims, Figure 1 can be referred to as the criminal justice model because of its offender focus. In this model, the traditional purposes of punishment, deterrence, incapacitation, and rehabilitation compete for prominence as politicians posture in response to public mood shifts and outcries.

In the confusion created by competitive and contradictory purposes — as well as fickle public and political climates — calls for reform are based on rationality. The professional rhetoric calls for the creation of a rational system of sanctions; whereby, the purpose and scale of individual sanctions are based on "rational" policy decisions.

Figure 1: Traditional Criminal Justice Model - Offender Focused



The concept of “rationality” promotes strategies for reforming the system by creating policies that will ensure more uniform and easy to measure results. While on its face such an approach makes perfect sense, it does not fit within the real world practice of justice professionals. Policy makers and practitioners are told to define the purposes of individual sanctions or programs in order to, among other things, better measure the results. These purposes are invariably offender-focused (e.g., sanctioning, rehabilitation). Moreover, a truly rational approach to policy making would dictate that purposes be consistent in all agencies on the criminal and juvenile justice continuum. For example, a jurisdiction operating under a *just deserts model* of sentencing, but having a department of corrections with a strong culture based on rehabilitation, would either have to change its corrections programs to a more punitive mode or change its sentencing practices to a more rehabilitative model.

Intuitively, justice practitioners feel that it is possible, and indeed necessary, to balance competing sanctioning purposes (e.g. rehabilitation, incapacitation, deterrence) in order to effect positive results. This holds true even if such an approach is not viewed as completely rational.

The increasing pressure to implement results-oriented work practices creates a sense of urgency to determine what works in corrections/criminal justice. The overwhelming majority of research in the “what works” area is firmly rooted in the criminal justice model and is focused mostly, if not exclusively, on the rehabilitation step of the model. The emphasis is on long-term behavioral changes of individual offenders through effective treatment.

The competition with other sanctioning purposes is intense, and recidivism often is the primary measure of success. “What works” advocates bemoan the fact that rehabilitation has been relegated to the lowest rung of the ladder and punishment is at the top. To these advocates, the primary goal is to convince policy makers, practitioners, and the public that rehabilitation should be at the top to achieve the best recidivism results. Those who advocate punishment, or any of the other sanctioning purposes, are equally adamant that their views should prevail.

What is needed is a non-competitive, non-contradictory design that strives primarily for harmony rather than rationality. There is no reason for rehabilitation, punishment, or any other sanctioning purpose to be at odds or in competition with one another. There is no reason for justice components to work in isolation from each other or from the community.

The way to achieve harmony in the system is to shift the focus to the community as the center of effort instead of placing the offender at center stage. Rather than asking what to do to offenders or do for offenders the question becomes: “How can we create and maintain safer communities?” By asking that basic question, the traditional purposes of the work become equally worthy means to an end rather than independent ends competing for prominence. This community focus is the core of the community justice paradigm as illustrated by the model in Figure 2.

This model derives its identity in terms of the value of the work rather than from its purpose. More specifically, it identifies four civic ideals or values, that

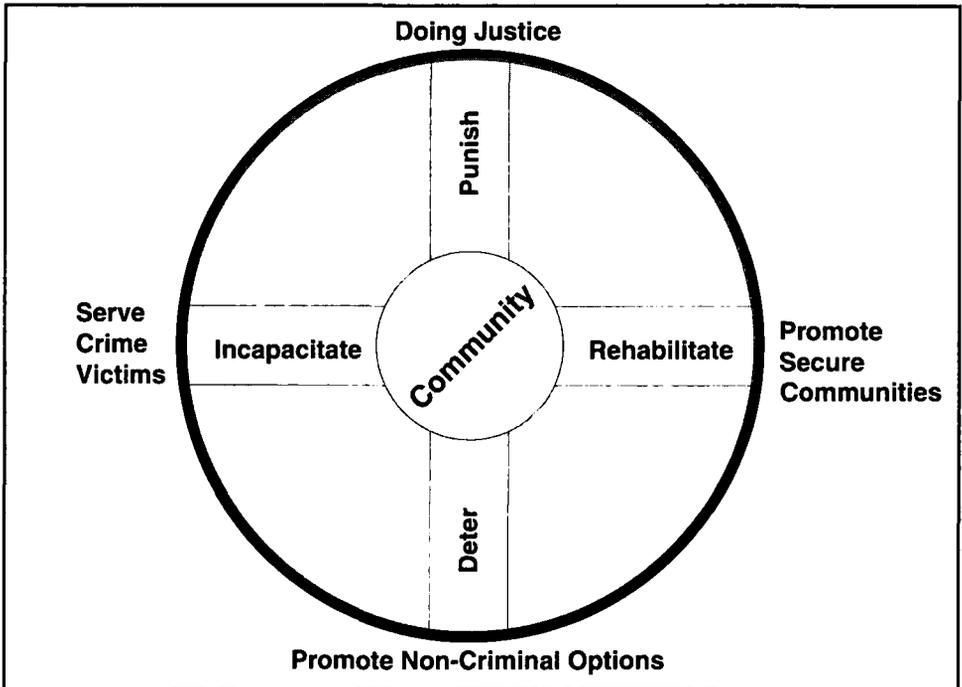
drive the work. The ideals, which were formulated by the Bureau of Justice Statistics (BJS)-Princeton Project, (Dilulio, 1993) are

- doing justice,
- promoting secure communities,
- serving crime victims, and
- promoting non-criminal options.

These ideals are further defined by members of the BJS-Princeton Project as follows:

- *Doing justice* implies at least four things: hold offenders fully accountable for their offenses, protect offenders' constitutional and legal rights, treat like offenses alike, and take into account relevant differences among offenders and offenses.
- *Promoting secure communities* means more than achieving low crime rates. Rather, it means providing the security to life, liberty, and property that is necessary for communities to flourish. It means enabling citizens to pursue their collective life as they see fit without undue fear of having that life disrupted and destroyed. It means securing communities against criminals who assault, rape, rob, defraud, deal drugs, burglarize, extort, and murder. It also means securing communities against the community-sapping disorders that are commonly associated with crime and the fear of crime —

Figure 2: Community Justice Model — Community Focused



such as petty crime, public drunkenness, aggressive panhandling, loitering, graffiti, abandoned cars, broken windows, and abandoned buildings.

- *Serving victims* (The original report from the project lists this ideal as *restoring* victims. Victim advocates point out that many victims can never be fully restored.) The victims' rights organizations, manifestos, and laws that have proliferated over the last decade or so generally reflect and embody this long overlooked goal. Victims of crime have a special claim upon the criminal justice system's human and financial resources. Whatever else it may achieve, no system that dishonors that claim can be considered legitimate.
- *Promoting non-criminal options* means that punishment for criminal behavior should interfere as little as possible with the pursuit of non-criminal behavior. Even in prison, offenders should have at least some opportunities to engage in meaningful, constructive, and legitimate activities. Furthermore, government should not impose arbitrary restrictions on employment or other legitimate activities by convicted offenders, except as justified as a form of punishment or where public safety is at risk. This is not to say that society has any greater obligation toward the betterment of offenders than it owes to non-offenders. It is not even to say that government has an obligation toward the betterment of offenders and non-offenders alike. But one function of government is to promote — not necessarily to provide — legitimate opportunities and to facilitate — not necessarily to require or directly to reward — their pursuit.

In a community justice framework of operations and service delivery, the traditional purposes of punishment and rehabilitation operate conjunctively to move the work forward. Rather than the community being left out of the process and in an adversarial position with the system, it is the focus of the work. The community is viewed as the ultimate customer. Citizens are allowed an active role and voice in the process and, thus, become "co-producers of justice." In turn, this partnership offers an opportunity for higher quality programs and services for the community in return for its tax investment.

What This Means in Terms of Policy

Criminal Justice Model

The traditional criminal justice model is reactive and adversarial. The criminal justice system responds after a crime occurs. Community-based corrections reacts with a series of punitive and/or therapeutic interventions directed at offenders after they are in custody. The offender is the primary client or customer of services provided by the agency. The community may benefit only as an indirect consequence of the services provided to offenders. In response to political pressure from victims and other groups, many agencies may develop one or more specialized programs such as restitution or victim service units. Merely creating programs, however, does not constitute real change if the focus of the agency's work and mission remains unchanged. Victims stand to lose if an agency's ultimate customer is the offender.

Within the criminal justice system there is an adversarial and competitive atmosphere among groups of policy makers and justice consultants regarding what the primary purpose of the system should be. The long-standing debate is between those who favor punishment versus those who favor rehabilitation. The debate is focused on imprisonment as a *solution* to crime. The question debated is whether imprisonment is an effective solution. The irony is that the debated topic involves two sides of the same coin. Both sides attempt to demonstrate effective offender-focused interventions based on imprisonment or "alternatives." This internal conflict creates disunity, and a vague sense of mission and is ultimately counter-productive.

Nowhere is this better illustrated than in the public relations attempts by some criminal justice "progressives." According to Philip Harris and Stephen Smith (1993, p. 4),

...the problem over the past two decades for those seeking to reduce America's dependency on imprisonment has been a reliance on strategies that are based on a reaction against something, namely prisons... Unfortunately this reactive view cannot be translated into a comprehensive picture of corrections around which key system actors can rally.

When crime rates were rising, a case was made for alternatives based on the fact that increased imprisonment had failed to stem rising crime rates. As crime rates fell or stabilized, the argument became that more imprisonment was not needed in view of falling crime rates. The community corrections profession has bought into this "alternatives to incarceration" concept, which is based on the notion that all this country is doing is locking people up without considering other alternatives, such as community corrections. Practitioners, thus, try to convince policy makers to stick their necks out by trying something that is presented as radically different like, "community supervision" (e.g., intermediate sanctions). Therefore the assumption is created that community corrections does not currently exist.

The community corrections profession has consistently avoided promoting the fact that, in this country, the overwhelming majority of offenders are under community supervision status. Now, with plunging crime rates, community corrections cannot take any reasonable credit for this positive trend because practitioners have managed to unwittingly convince most people that community supervision does not exist. Practitioners fear that the discovery of all those offenders on the streets will set off a public outcry to lock up all offenders. This is understandable in view of public anger and frustration with the justice system.

Is it any wonder that community corrections has such a poor public image and encounters such difficulties in obtaining needed support? Community corrections can ill afford to continue to be held hostage by the alternatives to incarceration concept and the fear of the public. However, true progressive change requires an internal shift of mind rather than reactively trying to change the external environment. This internal mind shift is perhaps easier

said than done for most people. What follows are steps that might help in the reorientation process.

Community-Oriented or Community-Focused — Not Community-Based

It is important to understand that community justice does not mean “community-based” justice. Jails and prisons must be involved in this systemic change in justice. We also must realize that what currently exists in this country is statistically a community-based justice system, which refers to a location from which to work. It does not indicate the focus of concern or of work. What is needed is a community-oriented or community-focused justice system.

Because more than 70% of the correctional population is under some type of community supervision (Bureau of Justice Statistics, 1997), rather than being placed behind bars, community corrections is by far the largest component of the criminal justice system. Unfortunately, community corrections has very little, if anything, to do with community. The “community” in community corrections indicates where offenders are supervised. It neither indicates a role for the community in the corrections and justice process nor the focus of concern for effective outcomes. The failure of the community corrections profession to highlight and promote its lion’s share of the corrections population may, in part, contribute to the lack of adequate funding, support, and visibility for community corrections. The failure of community corrections to shift its focus toward the community may result in community corrections becoming irrelevant to the business of doing justice.

Community Justice Model

The community justice model is proactive and emphasizes crime prevention and collaboration. It begins with the premise that the community is the ultimate customer of the system. This is not to say that the community is the only customer or even the primary customer. For example, an agency’s primary customer may be the district’s chief judge. Approval from this person is of primary importance to that agency. Any agency’s work, however, must ultimately have a positive impact and provide value to the community in terms of safety and well-being.

Community safety and well-being can be achieved and enhanced through a variety of efforts. In the community justice paradigm, imprisonment or any other sanction is not viewed as a solution to crime. It is viewed as one of several, equally worthy and legitimate responses to crime. The idea is that each of the components of the system holds a piece of the solution. By coordinating each appropriate response through a problem-oriented strategy, the solution(s) to the problem can be attained. This opens up the possibilities for criminal and juvenile justice agencies to expand the boundaries of their practice and break down the barriers separating them from other components and organizations within and outside the system.

New viewpoints, frameworks, and practices require new success measures. Recidivism should not be the primary measure of success in community justice. The progressive model of the current correctional system attempts to address a universal problem — crime by investing its efforts in the success of

individuals — offenders. If a batterer is caught and revoked after violating a “no contact” order, the result is considered a failure because the offender relapsed. This is so despite the fact that a life may have been saved by the revocation or the cycle of abuse may have been broken!

Community justice addresses a universal problem by investing its efforts on what is best for the safety and well-being of that “universe” — the community and victims. This involves balancing short-term and long-term interventions and strategies, as well as focusing on prevention. Short-term interventions, such as imprisonment or surveillance, focus on controlling behavior and activities. Long-term interventions, such as drug treatment or cognitive restructuring, focus on changing behavior.

Prevention is a major effort of community justice work. However, a current operating definition of crime prevention is needed. In 1990, the Crime Prevention Coalition formulated the following definition of crime prevention (National Crime Prevention Council, 1990, p. 64).

A pattern of attitudes and behaviors directed at both reducing the threat of crime and enhancing the sense of safety and security, to positively influence the quality of life in our society and to develop environments where crime cannot flourish.

This definition clarifies the importance of community as a base for prevention. It also recognizes that there is a dual task: reducing crime's threats to the community and developing communities that discourage crime.

For several years, corrections has used these principles of crime prevention in direct supervision jails. These types of corrections facilities focus their efforts on the “community” environment of the jail rather than on the inmates. This focus influences the quality of life in the jail and develops an atmosphere where violence and other disorders cannot flourish.

The direct supervision jail, unlike traditional jails, places correctional officers in housing units and not in control booths. Officers, therefore, are in constant contact with inmates. This constant and direct contact with inmates allows officers to get to know them while allowing them to recognize and respond to trouble before it escalates into violence. Staff are no longer forced to wait to respond after trouble starts. In this model, the role of management staff is to structure the environmental forces so that correctional officers will be successful in proactive control. This environment enhances the chances for success of other correctional goals, such as rehabilitation.

These principles also can and should be translated into community supervision strategies. Jeffrey Roth (1994, p. 9) describes a diversified problem-solving method of violence prevention in the community which calls for:

...problem-solving initiatives aimed at sources of violence in several areas: childhood development; 'hot spot' locations, routine activities, and situations; illegal markets, especially for drugs, guns and prostitution; firearms, alcohol, and drugs; bias crimes, gang activities, and community transitions; and relationships between intimate partners.

This approach requires community corrections officers to work collaboratively with police, community organizations, and social service agencies. In doing so, these entities could proactively address various social disorder and illegal activity problems before they become larger and more violent. How these efforts effect the quality of life in the community become the basis for new success measures.

Principles of Community Justice

Although there is no universally accepted definition of community justice, there are some essential elements of community justice that are expressed in the following principles:

- The community, including individual victims and offenders, is the ultimate customer, as well as partner, of the justice system.
- Partnerships for action, among justice components and citizens, strive for community safety and well-being.
- The community is the preferred source of problem solving as its citizens work to prevent victimization, provide conflict resolution, and maintain peace.
- Crime is confronted by addressing social disorder, criminal activities and behavior, and by holding offenders accountable to victims and the community.

Core Values

The basis for these principles can be found in the following core values. The justice system benefits and serves the community by

- striving to repair the damage caused by crime to individual victims and communities;
- working to prevent crime and its harmful effects;
- doing justice by addressing problems rather than merely processing cases; and
- promoting community protection through proactive, problem-solving work practices plus interventions aimed at changing criminal behavior.

These efforts help to create and maintain vital, safe, and just communities where crime cannot flourish. What's important to note about these principles is that they do not address the traditional elements of promoting criminal justice policies. As stated before, the traditional approach to criminal justice policy promotion involves a conflict between incarceration and alternatives to incarceration. The promotional strategy employs a competitive display that attempts to show that one or the other — imprisonment or alternatives — is more successful and more cost effective. Competing and conflicting studies are demonstrated to policy makers in hopes of swaying their actions and opinions. When the demonstration and education efforts fail, the justice profession digs in and morale diminishes.

Community justice principles do not state that more or fewer prisons need to be built. They presuppose that all justice components have equal worth and

responses must be used appropriately. They do not state that the system needs to be changed because the current system is too harsh or too lenient. They connote a transformation of the system in order to serve the interests of communities and victims. They do not state that community justice is more cost-effective than the current method of justice. They indicate that community justice is a more valuable method of justice. Finally, and perhaps most importantly, they do not depend on the passage or repealing of laws in order to implement. They signify a liberating approach to change that begins and ends at the grassroots level, closest to the problem. These community justice principles provided are evidence of a new way of practicing justice that is inclusive of diverse opinions, backgrounds, and traditions, but is focused on a common goal.

These principles also demonstrate the difference between “community involvement” and “community engagement.” Community involvement implies that criminal and juvenile justice agencies are involving the community in their work. The community or citizenry has always been involved in the criminal and juvenile justice system through volunteers, representation on community corrections boards, and other venues. However, the work of citizens has focused on enhancing the justice process specifically related to and focused on offenders (e.g., education, reintegration).

Community engagement implies a dialogue and partnership between criminal and juvenile justice agencies and the community. Dialogue requires justice officials to not only tell and educate, but also to listen and learn from the community. Partnership involves working jointly toward shared goals through common interests. This proposition is more radical and, at the same time, more beneficial to criminal and juvenile justice and to the community.

Practical Examples

Community policing, community prosecution, and community courts are three examples of community justice initiatives. All three follow a community-oriented/focused strategy of problem-solving aimed at crime-related problems. Community corrections, in the non-traditional sense, is a fourth example. The traditional notion of community corrections is offender supervision, that is practiced in the community rather than in a corrections facility. The non-traditional notion of community corrections is supervision that is practiced with and for the community. Once again, this emphasizes the difference between community-based and community-oriented/focused programs and practices.

There are two primary components of community justice practice: (1) problem solving, and (2) community partnerships. The theory behind problem-oriented justice is that underlying conditions create problems. A problem created by these conditions may generate one or multiple incidents. Justice agencies and staff thus collaborate with the community and other agencies to, for example, remove abandoned cars that may serve as drug “shooting galleries,” or to close down bars that sell to intoxicated customers or to minors.

In community partnerships the central goal is to establish and maintain mutual trust. This means adopting a perspective that exceeds the standard

enforcement and law-breaking emphasis of justice entities. A broadened outlook recognizes the value of activities that contribute to the orderliness and well-being of a community or neighborhood. These activities may include: helping resolve domestic and neighborhood conflicts (e.g., family violence, landlord-tenant disputes, or racial harassment), working with residents and local businesses to improve neighborhood conditions, and providing a model of citizenship (helpfulness, respect for others, honesty, and fairness).

Currently, most community justice practice is on an incremental, program-specific level. There are a few jurisdictions, however, that are attempting a system-wide transformation to community justice. The U.S. Department of Justice, Bureau of Justice Assistance (BJA) has selected eight national sites as demonstration sites for community justice. The National Institute of Corrections (NIC) has selected Deschutes County, Oregon as a developmental site for community justice. The Deschutes County Department of Community Corrections has changed its name to the Department of Community Justice. Government and community leaders are working to ensure that this is more than a mere name change. Government agencies and citizens will work jointly to make community justice a reality. (More detailed information on the Deschutes County initiative can be found in Chapter Thirteen of this publication.)

The following section provides an overview of some community justice initiatives that have been implemented.

- *The Mid-Town Manhattan Community Court in New York City* addresses low-level crimes through a combination of punishment, social services, and reparation. Offenders are sentenced in the neighborhood where they are arrested, often within 24 hours. The sentences are reparative in nature, designed to restore the community harmed by the crime. Offenders receive treatment and other social services provided within the courthouse. Some offenders also complete their community service sentences within the courthouse. (More information on Community Courts can be found in Chapter Eight of this publication.)
- *Reparative Probation in Vermont* puts low-risk probationers directly under the control of a board of community members. This is contrary to the practice in many agencies of reserving resources solely or primarily for high-risk offenders. The board determines reparations to the community and to the victim. Offenders may be ordered to pay restitution, work in community service, or participate in other reparative projects. Offenders and victims also may participate in victim offender mediation. Violations are reported to the court for further action. (More information on the Vermont Reparative Boards can be found in Chapter Eleven of this publication.)
- *The Quincy, Massachusetts Probation Department* regards domestic violence victims as important customers. Their domestic violence program is dedicated to breaking the cycle of violence and protecting the victim. Domestic violence is considered not only a crime against a specific victim, but a crime against the community. Batterers may be sentenced to community work service and to batterer-specific treatment. Probation works collaboratively with the police and other agencies to identify and respond to instances of

domestic violence. Probation officers do not hesitate to revoke batterers who violate "no contact orders," even for the slightest infraction. This guarantees that the batterer will not manipulate or intimidate his way back into the home to repeat the cycle of violence.

- *Operation Night Light*, in the Roxbury section of Boston, Massachusetts, is a joint venture of the Boston Police Department and the Probation Department of the Dorchester Court. Police and probation officers work jointly to address community concerns related to youth violence. Joint patrols check for curfew and other violations of probation terms. Officers work with parents to help them re-assert parental control. The collaborative efforts of schools, churches, and other community institutions also is utilized to help supervise juvenile offenders. (See Chapter Ten of this publication for more information.)
- *The Red Hook section of Brooklyn, New York* is an economically depressed, high crime area of the city. The Brooklyn District Attorney's office is planning to establish a community justice center in this community. The center will provide the community with community prosecution services aimed at quality of life crimes in the area. One unique thing that the center will do is make services, such as alcohol and drug treatment, that are available to the defendants also available to community members. This idea does not make sense in a criminal justice system. It makes perfect sense in a community justice system.
- *Deschutes County, Oregon* is also planning a new community justice center. A retired dentist has been offered office space that will be in the center. He will provide free dental care not only for offenders, but for children in the community. The space was offered to the dentist after the head of the Community Justice Department was informed that tooth pain is a leading cause of school absences. This problem is worse among poor children whose families cannot afford dental care. Missing school can begin the cycle of poor grades, dropping out, and other problems. Providing dental services to community members who have not committed a crime is not in keeping with the criminal justice tradition, but is completely compatible with the ideals of community justice.

As justice agencies collaborate with each other and with the community, they become more effective and efficient at discovering and dealing with criminal activity that was previously undetected or ignored. Consequently, recidivism rates may increase, at least initially, while crime diminishes. This underscores the need to develop alternative measures for success.

IMPLICATIONS FOR THE FUTURE

Community justice holds great promise to end the counterproductive debates over ideological and political supremacy that have crippled progress and held institutional corrections and the criminal and juvenile justice systems hostage. With justice agencies and citizens working toward a common goal, positive results are more certain. The first and most obvious debate that could

be discarded is the one concerning rehabilitation versus punishment. In the work to create and maintain safer communities, a balance of both is needed.

Another contested and divisive area that also holds great promise for reconciliation is the conflict between criminal justice, public health and social service policies. There are certain issues, such as illicit drugs and violence, that spark debates regarding appropriate responses. Is this a criminal justice issue or a public health issue? Other areas such as economic conditions, education, and racial equality that may or may not be root causes of crime, also spark emotional debate regarding responses and the role of government. Are these criminal justice issues or social service/justice issues?

Responses based solely on either criminal justice, public health, or social services are not adequate to address the totality of the problem. In the current compartmentalized view of service delivery, awareness of the big picture is lost. The criminal and juvenile justice systems react to lawbreaking, and the public health system reacts to symptoms and indications of illness. By reacting only to the lawbreaking behavior and ignoring any underlying problems, a criminal justice response can only be expected to yield short-term benefits. By reacting only to individual illness or by using a disease strategy, a public health response cannot hold offenders accountable to victims and communities. It also may not be able to offer the coercion that is needed for hard-core addicts to seek treatment. A social service/justice response can address deficits in education, joblessness, and racial pride. However, it also can create educated, employable, racially proud criminals, who are neither accountable to victims and communities nor responsible for their behavior.

The premise of community justice is community safety through community well-being and vitality. All of the problems of illicit drug use and addiction, violence, racial intolerance, and illiteracy can be viewed as symptoms of a debilitated community. This unsound community environment can breed other conditions that contribute to an overall atmosphere of crime, fear, and disorder.

The current system requires that a person commit a crime or violate a code that is labeled a criminal act in order to obtain services or spur the justice system to action. As an example, a dispute by neighbors over a barking dog, or other disruptive activities and behaviors, cannot be addressed by the system until a crime, i.e. assault, is committed by one of the parties.

Community justice strives for community vitality and well-being as the ultimate means of creating and maintaining safe and just communities. Vital communities do not exhibit severe manifestations of violence, ignorance, racial and ethnic intolerance, debilitating poverty, and other signs of extreme social disorder. Vital communities are empowered to solve problems at the neighborhood level, before they escalate into serious violations of peace, safety, and harmony.

CONCLUSION

In his book *The Fifth Discipline*, Peter Senge (1990, p.69) describes the "systems thinking" that is vital to what he calls "the learning organization." This type of thinking requires:

...a shift of mind from seeing parts to seeing wholes, from seeing people as helpless reactors to seeing them as active participants in shaping their reality, from reacting to the present to creating the future. Without systems thinking, there is neither the incentive nor the means to integrate the learning disciplines once they have come into practice.

An old Hindu parable tells of some blind men touching an elephant. Each touched a particular body part and perceived the elephant according to the individual part. For one, the elephant was like a rope (tail). Another declared the elephant was like a snake (trunk). Another disagreed, stating the elephant was like a tree (leg). Each man was correct; yet, none perceived the entire creature (system). For too long, the perception of professionals in the criminal and juvenile justice system and has been like the parable of the blind men touching an elephant. The tendency is to view the individual components as independent of the others and serving different, competing purposes.

Furthermore, there is the propensity to say "ain't it awful" while sinking into the role of victims. As victims, the inclination is to see the problem as "out there" rather than within. By continually failing to change the external environment, there is increased frustration and reactive responses. Only by changing can there be to growth as a profession and increased esteem within the field and among those who should support it.

Systems thinking allows that there are interconnected, interdependent parts of the whole, working for a common, greater good. No one component of the system is a better or worse option than the others, but each serves a specific function. Community justice should give an optimistic and opportunistic path into the next millennium and a new framework for the profession.

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UNITED BY PREVENTION

*National Crime Prevention Council,
Adapted from *Uniting Communities Through Crime Prevention*¹*

Crime prevention is: "a challenge to parents, children and teens, concerned citizens, grassroots and community groups, businesses, law enforcement and the criminal justice system, churches, youth and social service workers, housing and employment systems, to:

- **ADMIT** that their community has crime problems,
- **TAKE RESPONSIBILITY** for solving these problems,
- **SET PRIORITIES** for addressing various crime problems,
- **IDENTIFY** resources available to tackle problems, and
- **WORK TOGETHER** to solve or reduce the impact of the problems."

National Crime Prevention Council, 1986

COMMUNITY INVOLVEMENT

Preventing crime is a purpose that can unite neighborhoods and communities, a task that can gather energies and allies. It involves everyone in the community, focuses community energies in positive ways, builds partnerships, reduces crime and fear, and makes communities more vital. It adapts to local needs and circumstances, saves money and heartache, and frees up resources to meet other community needs. Crime prevention is not a single program but an approach that both deters crime and enhances community health.

Crime prevention deals with both immediate situations and causes that are far removed in time and space. It provides know-how for individuals, neighborhoods, or whole cities; it addresses the physical and social needs of communities, from redesigning streets to formulating social programs. It deals with fear that paralyzes communities and their residents and saps civic lifeblood.

The Community Setting

A community is a gathering of people who live in the same area or who share interests. A residential neighborhood, a high-rise apartment or office building, a school, a church, a professional society, or a civic network can be a community. Communities are central to the concept and practice of crime prevention. Our definitions of community have shifted to encompass more than just place of residence, which has made the idea of community even more important. Most adults and children spend large parts of their time in at least two communities — school or work and residential. Freedom from crime is important in each, as in all communities.

¹ National Crime Prevention Council. (1992). *Uniting communities through crime prevention*. Washington, DC: U.S. Department of Justice, Bureau of Justice Assistance.

To thrive, the community must offer its members a sense of security not just in their homes but in streets, corridors, public places, and commercial spaces. Community members must feel free to interact with each other, not forced into isolation for mere survival. That feeling must be supported not just by law enforcement agencies but by those who make up the community. In this context, it goes hand-in-glove with community policing, which seeks to assist communities in building and sustaining that sense of security and shared expectations and standards. Not unlike community policing, crime prevention invests the community in forestalling harm, in addressing causes, and in solving problems rather than just reacting to events and addressing symptoms.

Beyond Self-Protection

Individual prevention actions are necessary but not sufficient. Even if home is a secure fortress, its residents must travel to work, the store, school, church, and play. There must be a safe and secure climate beyond the front door in order for them to do so. Creating that climate requires action in concert with other members of the community. The action may not always be easy, but it can be effective — even in reclaiming hard-hit areas. Whether it is as basic as organizing a Neighborhood Watch or as complex as ridding the area of an active drug trade, community action draws in the local law enforcement agency as a key partner.

With a safer neighborhood, many people are willing to meet the challenge of community-wide action. It is no accident that community policing's advocates point to its role in re-establishing or reinforcing a sense of security and control among and by neighbors as one of the major assets of this approach. Community policing recognizes intrinsically that security must extend beyond self-protection, that the community must be safe for the individual to be secure within it. It also works to enhance the sense of cohesion and the partnerships that enable communities to prevent crime.

There is no question that a community suffers from every crime. The loss of productive time; the costs of injuries; and the expense of catching, prosecuting, and jailing the offender combine with less tangible but no less real community wounds — increased citizen fear, diminished use of public space, reduced participation in civic activities, decreased economic and social activity, and decreased respect for duly constituted authority — to cause physical, fiscal, and psychic harm to the concept of community.

Fear, in particular, is a vicious force that can cause residents to change their behavior dramatically, disrupt community life thoroughly, and force residents into isolation. A parent refuses to attend a PTA meeting; a business closes at 5:00 p.m. instead of 9:00 p.m.; older residents venture outside only briefly at the height of daylight; cultural, sports, and civic events suffer as concerned patrons forego attendance to avoid the prospect of victimization; children are kept out of playgrounds and parks by worried adults.

The modern concept of community-oriented policing has recognized the role of fear in the community's reaction to crime, and the best community policing models acknowledge that civic perceptions deserve equal attention with crime realities in identifying and addressing community problems. The

crime prevention experience, like that of community policing, documents the power of working with residents in the environments that are important to them on the problems and concerns that make a difference in their lives, rather than dealing only with cold, sometimes inadequate, statistics.

The public health community, especially through the Centers for Disease Control and Prevention of the U.S. Public Health Service (Department of Health and Human Services), has in recent years acknowledged that violent crime is a preventable public health problem, and that, as such, it must be addressed on a community rather than on an individual level. It is the community's health in this case that must be restored or reinforced if crime is to be reduced.

Aiming to Empower Communities

Crime prevention seeks to build and sustain the kinds of communities that can keep themselves healthy through a sensible combination of formal (legal) and informal (social) controls and safeguards. Through regulations, laws, and sanctions, the community provides explicit standards and expectations and establishes official punishment for those who violate the rules. Unofficial attitudes and actions by community members, such as peer pressure and neighborhood standards, are the informal ways in which the community defines, teaches, and encourages acceptable behavior in a variety of settings. Examples include the neighbor who stops a child from vandalizing a street sign, the children who refuse drugs and report pushers, or the youth who pressures friends to stay out of gangs.

Informal social controls in a community are extremely important in preventing crime. They are what many people speak of when they talk about "the way things used to be." One study described informal social controls in a familiar way (Greenberg, Rohe, and Williams, 1995, p. 1-2).

Neighbors questioning strangers, watching over each other's property, and intervening in local disturbances (e.g., scolding children for fighting) are all examples of informal social control. The basis for these behaviors is a shared set of norms for appropriate public behavior.

Neighborhoods and smaller communities cannot, in the long term, remain healthy unless the larger community is both healthy and supportive. Crime prevention and community policing both acknowledge the underlying truth that civic participation, activity, and freedom cannot flourish if crime or fear is rampant, and that informal social standards must play a major role in reducing or eliminating both crime and fear. They also acknowledge that the community must own these standards and develop these mechanisms if they are to be truly effective.

Promise Grounded in Experience

The promise of crime prevention as an approach to helping communities was spelled out by the Crime Prevention Coalition of America, which consists of more than 118 federal, national, and state agencies and organizations, in *Crime*

Prevention in America: Foundations for Action published by the National Crime Prevention Council in 1990. The Coalition member groups described the need in the following way (National Crime Prevention Council, 1990, p.64):

Crime is a problem for many communities, and predictions are made about the burden it imposes for our future. If nothing is done, these predictions may well come true. But they can be challenged if we take responsibility for molding our own future by planning and practicing crime prevention...The challenge facing each of us is to accept crime prevention as basic to our lives and to pledge to take action with our families, our neighbors, and communities to solve problems.

The three-year process that led to *Foundations* drew on hundreds of years of combined experience and led the Coalition to set forth 11 principles of crime prevention:

- Crime Prevention Is
 1. Everyone's business
 2. More than security
 3. A responsibility for all levels of government
 4. Linked with solving social problems
 5. Cost-effective
- Crime Prevention Requires
 6. A central position in law enforcement
 7. Active cooperation among all elements of the community
 8. Education
 9. Tailoring to local needs and conditions
 10. Continual testing and improvement
- Crime Prevention Improves
 11. The quality of life for every community

(Ohio Crime Prevention Association, 1994, p.11)

THE SCOPE OF CRIME PREVENTION

A definition of crime prevention popular in the 1970s and 1980s was the anticipation, recognition, and appraisal of a crime risk and the initiation of some action to remove or reduce it. Over time, this definition became closely linked with household protection — lights, locks, alarms, and the like. It did not reflect the role of public attitudes and fears in setting community context; it did not account for the need to look at causes as well as symptoms.

In 1990, the Crime Prevention Coalition of America formulated the following definition of crime prevention (NCPC, 1990, p.64):

A pattern of attitudes and behaviors directed both at reducing the threat of crime and enhancing the sense of safety and security, to positively influence the quality of life in our society and to help develop environments where crime cannot flourish.

This definition clarifies the importance of community as a base for prevention. It also recognizes that there is a dual task: reducing crime's threats to the community and developing communities that discourage crime.

This definition also acknowledges the importance of community perceptions. One task of community crime prevention is to help people overcome the crippling effects of unwarranted fear while acknowledging their legitimate concerns and helping to resolve these problems. Like community policing, crime prevention seeks to understand local needs and perceptions and solve problems in local contexts.

Crime prevention encourages and embraces the many community-building activities that neighborhood and community groups have found to be critical to their success. That is one reason Neighborhood Watch efforts are so compatible with the work of general civic organizations. These activities are as widely varied as the needs of the community and the crime causes they are trying to address. They can range from general maintenance such as installing lights, cleaning up graffiti and litter to positive opportunities — providing mentoring, recreation, transportation, job training to economic development — developing industries, making infrastructure improvements, and giving aid to small businesses.

The Answer from Many Perspectives

From many different viewpoints, crime prevention fits with much that has been learned about our communities and their needs.

For example, community crime prevention is central to the concept of public or community health. Violence has for more than a decade been seen as a problem that can be studied, understood and prevented. Public health efforts have begun to focus on violence as a public health problem, especially violence among youth, applying its prevention perspective to what has become the leading cause of death among many young people. The Centers for Disease Control and Prevention has been a focal point for this activity. In communities such as San Francisco, Boston, New Haven, Houston, and Newark, public health specialists have begun a variety of violence prevention initiatives with important results.

Economics teaches that community safety is a "public good." No single individual can provide neighborhood or community security alone, but people working together, pooling resource and knowledge, can produce and share this commodity. Crime prevention theorists have used the term "co-production of public safety" to describe the idea that just as everyone shares the benefits, so must everyone take part in establishing them.

The concept of risk assessment familiar to businesses and strategic analysts also applies to communities. The community faces a variety of risks ranging from flood to earthquake, from crime wave to tidal wave. By thoughtful

assessment and management of these risks, using prevention and damage control strategies, the community can minimize potential losses. Crime prevention seeks to manage and reduce the crime risk. It also frees resources and builds resilience against future problems.

Some of the nation's best policy thinkers on criminal justice have strongly endorsed the concept of community-based crime prevention (Rosenbaum et al., 1988, p. 324):

Expanding the role of ordinary citizens in the 'war on crime' has been recommended by no less than three national commissions in the United States, which assessed the nation's response to crime...based on the premise that private citizens play a major role in maintaining order in a free society, and therefore should be encouraged to accept more responsibility for prevention of crime...Because society cannot afford a 'cop on every corner' or a parole officer for every parolee, criminal justice scholars and policy makers must take a closer look at the costs and benefits of this relatively cheap alternative.

COMMUNITIES OFFER THE BEST SETTING FOR ACTION

The comprehensive study, *Understanding and Preventing Violence 7* (1993), published by the prestigious National Academy of Sciences concludes that violence is caused by a wide array of factors — several dozen play a role. Community is at the center of prevention, based on their analysis. It is the best — or most logical — place at which to change many of the individual and social factors that contribute to violence.

Obviously, some factors require state or national action; some can most readily be changed through individual or family action. Where action is necessary outside the community framework, the community can nonetheless support and encourage those changes. By providing or encouraging appropriate services, the community can have an impact on broad social issues, e.g., economic development and employment levels, and on individual physical and psychological factors, e.g., through sound nutrition, parenting assistance, and good prenatal care.

Local law enforcement agencies in the United States have been described as the last 24-hour social service agencies. Most communities view police and sheriffs as the court of first resort for maintaining or re-establishing order. But social service agencies and law enforcement staffs have been reaching out to form rich partnerships, under banners of both community policing and crime prevention.

Not every neighborhood or community is immediately equipped to tackle crime and its causes. Some need more help than others in organizing and mobilizing residents. Some, in a state of near collapse, may need rescue, CPR, and a large dose of hope as well as help before they are ready to take their own reins without support. But the goal of crime prevention is always to move toward a self-sustaining, self-renewing community, no matter how long the journey.

CRIMINAL JUSTICE LINKS WITH COMMUNITIES

The importance of the community in preventing and reducing crime is increasingly recognized in the criminal justice system. Community policing, for example, emphasizes that law enforcement works in conjunction with local residents and institutions rather than in response or reaction, in collaboration rather than confrontation. Whether in community policing or community justice, the ultimate goal of problem-solving and collaboration is to prevent further crimes. The energies of law enforcement and criminal justice agencies are better invested in resolving problems than in just reacting repeatedly to the same calls for service and repeat offenders.

Mini-stations in neighborhoods; community bicycle, scooter, horseback, and foot patrols; co-location of law enforcement and social services in neighborhood settings and multi-service centers; community and neighborhood-based courts; and neighborhood organization support are just some of the ways in which community policing has brought the criminal justice system function into closer contact with the people it serves.

Preventing crime also has become increasingly urgent as a policy goal because state and local courts are overwhelmed, the corrections system is stretched to its limits, and local and state governments are faced with shrinking resources to pay these costs. These governments also face competing demands ranging from education to infrastructure. Prevention offers the prospect of heading off many of the criminal justice costs while at the same time avoiding other costs of crime.

Courts also are increasing their involvement with communities. They are locating in neighborhoods and developing special mentoring and monitoring relationships with defendants in cases like drug abuse. Restitution, whether monetary or in the form of repairing the damage, is increasingly used as a means of administering justice. Courts have promoted or approved a variety of neighborhood dispute resolution systems to help settle conflicts peacefully in the community and with relative informality. Prosecutors are working with community groups to gather evidence on drug dealers, to provide victim and witness support, and to build prevention systems. Probation and parole departments are working with police departments, prosecutors, and defendants in new partnerships to reduce recidivism and enhance community safety. Corrections experts are stressing the value of community-focused correctional systems and alternatives to incarceration, both to relieve prison overcrowding and to provide an established community link for those being released from custody. The conclusion is clear: The community setting offers the most hope for change for the most causes of crime at the most enduring level.

Community Crime Prevention Works

Community crime prevention has been under way since the 1970s in communities throughout the country, encouraged by the Law Enforcement Assistance Administration. Since then, despite crime prevention's many successes, some officials and civic leaders still express skepticism about the concept. But over the years, crime prevention has developed a track record that demonstrates its success in reducing crime, reducing fear, and restoring

citizens' sense of security in many ways. Even criminologists have agreed that crime prevention is a valid approach. Reviewing 11 rigorous evaluations described in *Community Crime Prevention: Does It Work?*, Robert K. Yin (1986) observed, "The evaluations and their largely positive outcomes do point to the fact that crime can be prevented, under a variety of circumstances."

Community crime prevention has demonstrated effectiveness in six key areas:

1. *Increasing Knowledge* — In Lincoln, Nebraska, a major outreach effort by police officers to educate the Vietnamese community about ways to prevent crime not only reduced victimizations among that group but increased knowledge, respect, and understanding between law enforcement and the refugee community.
2. *Changing Attitudes* — Fear of crime has been documented to be reduced in a number of cases. Community-based programs by police in Houston, Texas, and Newark, New Jersey, helped to reduce residents' fear of crime and to increase their positive attitudes toward law enforcement officials.
3. *Altering Actions* — In one Columbus, Ohio, public housing community, the active involvement of a crime prevention coordinator and a multi-faceted approach reduced the number of drug houses in the community from 251 to 5, in just two years.
4. *Mobilizing Communities* — In Baltimore, Maryland, a deep and strong partnership among residents, city government, the Police Department, community organizers, probation and parole, treatment services, and foundations has reinvigorated the safety and vitality of six of the city's toughest neighborhoods. Tackling drug-related and other violent crime head-on along with disorder issues, these collaborators have inspired a statewide effort to focus crime prevention and control in a "hot spot" in each of Maryland's counties. An extraordinary commitment to community organizing and training is another hallmark of this now citywide strategy which has reduced crime by as much as 50% in some neighborhoods.

Boston, Massachusetts has set a new national standard for collaboration among law enforcement, criminal justice systems, and the community. Their embrace of a research-based, neighborhood-focused, and fully balanced prevention/intervention/enforcement strategy has saved countless young lives, bringing a new atmosphere of hope to youth and other residents throughout the city. From July 1995 to May 1998, only three juveniles were killed by a gun, compared with 150 in 1991 alone. An extraordinary commitment to strategic planning respected neighborhood level concerns and helped point out citywide priorities which remain the focal point of the city's successful efforts. See Chapter Ten for more information.

5. *Reducing Crime Rates* — From city hall to the state courts to the colorfully named neighborhoods, it seems nearly everyone in Hartford, Connecticut, is involved in something related to the city's comprehensive anti-crime

strategy. The Community Court, the 16 neighborhood-based, multi-agency and resident Problem Solving Committees, and partnerships with businesses are leading the city to a safer and brighter future. In 1997, neighborhoods experienced drops in reported crime of 20% to 40% as compared with 1995 and 1996. The strategy is supported by a local government committed to finding the “levers of change” for a more community-oriented approach, and a community which has tasted the successes of crime prevention and collaboration.

6. *Enhancing Quality of Life* — Residents in one Columbia, South Carolina, community can now shop in their neighborhood’s first grocery store. A partnership between police, the city’s community development agency, residents, and area churches helped close down and remove drug houses. In their wake, this partnership helped build new housing and attract several new businesses, including the grocery store. Children now play in an area formerly frequented by drug traffickers. In one of the city’s public housing neighborhoods, a similar commitment to prevention and safety has resulted in the resumption of pizza and other food delivery to the neighborhood for the first time in recent memory. These results signal residents more active and secure in their communities and the return to “normal” life.

Enhancing the Quality of Life

Crime prevention has produced benefits beyond changing attitudes and behaviors, beyond mobilizing communities, beyond reducing crime rates. It has built better working relationships among government agencies in Knoxville, Tennessee; enabled once confrontational groups to develop solid working partnerships in Waterloo, Iowa; created strong community groups, generated police-community partnerships via Neighborhood Watch and numerous other programs, and saved businesses money and other crime losses.

Partners — community agencies and civic and neighborhood groups — have repeatedly attested that their ongoing working relationships make it far easier to reach the right parties, seek the right services, develop effective collaborations, and cut through needless bureaucracy. Such relationships not only conserve scarce resources but improve people’s satisfaction with the level of their work and communities.

Those involved in community-based crime prevention report frequently that they have a better understanding of the tasks facing other partners. A heightened sense of community develops as groups and individuals that previously did not communicate — or communicated only formally — begin to discover common concerns and interests and to see each other as allies in a greater cause.

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PROMISING PRACTICES IN COMMUNITY JUSTICE: RESTORATIVE JUSTICE

Kay Pranis

Restorative Justice Planner
Minnesota Department of Corrections

Community-based and restorative-minded practices serve to remove the insulation between the system and the public in a meaningful way. They directly involve the public. These practices seek to restore the harmony at the community level. They may even access the community's resources to bring about restorative changes. Most importantly, the process goal is not to bring the community to the justice system, but to bring the justice system to the community.

Mark Carey, 1997, p. 6

WHAT EXACTLY IS RESTORATIVE JUSTICE?

Restorative justice is creating a space in which criminal justice professionals and community members can affirm values of universal human dignity and mutual responsibility — a space in which caring and accountability go hand in hand. The system and communities are learning to talk together and work together to find ways to respond to crime that focus resources on repairing harm and strengthening community bonds for all members, including victims and offenders.

If chosen as the vision for an agency, jurisdiction or community, restorative justice becomes the guiding framework providing direction to every aspect of the work of probation and parole. The values and principles of restorative justice set parameters within which all actions and processes are assessed including case planning, program implementation, hiring, performance evaluation, priorities for practice, and resource allocation.

Relationship between Community Justice and Restorative Justice

There is a great deal of overlap between current conceptualizations of restorative justice and community justice, but the concepts are not interchangeable in their present usage. Restorative justice is a value-based approach. All activities and decisions are guided by a set of values and these values pertain in all circumstances — in the community, in facilities, everywhere. Among its values are the resolution of harm in the community and community responsibility for all its members, both of which require community involvement. Consequently, restorative justice depends upon and promotes community empowerment and community development.

Community justice also values community involvement and the community as the location of processes but does not always hold as its goal repair of the harm and promotion of healing for all. Justice in the community can be restorative, but it also can be retributive. Historically, many forms of community justice were outrageous. Even today, many justice efforts labeled

“community” are isolating, alienating, intended to inflict pain or get even, or to drive undesirables out of the community, and may give no voice to the victim or the offender in the process. Interventions intended to be humiliating and punitive do not comply with restorative values, which call for respectful treatment of everyone and a focus on healing.

Values matter. Intent matters. Restorative justice is clear about values and intent. Community justice may sometimes share those values but does not preclude values or intent which are incompatible with restorative values. The term “community justice” as currently used does not clearly define what values will guide decisions and activities.

Restorative justice sets out a clear set of values and a vision for how we respond to harmful behavior. These values provide affirmative direction for strategies maximizing the opportunity to learn and to strengthen relationships. Values also limit what strategies can be used, and they set priorities among competing demands. For example, the restorative value related to repairing harm to the victim prioritizes restitution over financial obligations to the state. Among the principles of restorative justice is one which says that those affected by the event should have a voice in crafting a resolution. Since every crime has an impact the community as a whole, that principle clearly establishes community participation as a key element of a restorative approach.

Greater community involvement in the justice process is clearly a goal of community justice as well. But what values should guide community involvement and community decision making in the justice process? Restorative justice is a values based approach to shaping our response to crime, which is highly compatible with the goal of greater community involvement, access and responsibility in the response to crime. Community justice based on restorative values directs community involvement toward efforts that strengthen the community fabric and build relationships based on a vision of a caring, self-regulating, and self-healing community.

Concepts Of Restorative Justice

Dan Van Ness and Karen Heetderks Strong (1997) summarize restorative justice with this statement: “Crime is a wound, justice is healing.” Howard Zehr and Harry Mika (1997) developed the following outline of the concepts of restorative justice.

1. Crime is fundamentally a violation of people and interpersonal relationships.
 - 1.1 Victims and the community have been harmed and need restoration.
 - 1.2 Victims, offenders, and the affected communities are the key stakeholders in justice.
2. Violations create obligations and liabilities
 - 2.1 Offenders’ obligations are to make things right as much as possible.
 - 2.2 The community’s obligations are to victims and to offenders and for the general welfare of its members.

3. Restorative justice seeks to heal and put right the wrongs
 - 3.1 The needs of victims for information, validation, vindication, restitution, testimony, safety, and support are the starting points of justice.
 - 3.2 The process of justice maximizes opportunities for exchange of information, participation, dialogue, and mutual consent between victim and offender.
 - 3.3 Offenders' needs and competencies are addressed.
 - 3.4 The justice process belongs to the community.
 - 3.5 Justice is mindful of the outcomes, intended and unintended, of its responses to crime and victimization.

Restorative justice is about relationships — the way relationships are harmed by crime and the power of relationships to promote recovery and healing for all in the wake of crime. Restorative justice is characterized by honoring individual human dignity, respecting relationships, promoting healing for all, allowing those most affected to have a voice in decision making, and focusing on problem solving for a good path forward.

Restorative justice is not a program or a specific set of programs; it is a way of thinking about how to approach the problem of responding to crime, a set of values that guides decisions on policy, programs, and practice. Restorative justice is based on a redefinition of crime as injury to the victim and community, rather than as an affront to the power of the state. The primary purpose of the criminal justice system in the restorative framework is to repair the harm of the crime to the degree possible. Victim involvement or perspective (through surrogate victims or advocates when a victim does not wish to participate) is essential to define the harm of the crime and to identify how the harm might be repaired.

Restorative justice prioritizes support for victims, opportunities for victim input, offender understanding of the human harm of the behavior, offender involvement in repairing the harm where possible, and community involvement in all aspects of resolving a criminal incident.

Restorative justice also assumes that communities are responsible for their members and that community health depends upon constructive responses to crime which increase mutual interdependence and mutual responsibility. Restorative justice provides an approach which refocuses our attention on community and our mutual responsibility to one another while communicating clear limits on behavior.

FORCES FOR CHANGE

The central ideas of restorative justice are not new. They are in fact quite ancient. Throughout most of recorded human history, across many cultures, the response to wrong doing in a community focused on restitution or repair of the harm of the offense. The modern legal system, however, focuses on symbolic punishment on behalf of the state, rather than on accountability targeted toward repair of the harm.

Several forces have converged to give momentum to the interest in

restorative justice. In the past twenty years the victims' movement has increased awareness of the shortcomings of the modern criminal process for victims. From a victim perspective, the structure of the criminal process makes no sense. Why is it a crime against the state? Why are obligations to the state often prioritized over obligations to the victim? Why does the process so often overlook the victim? Victim perspective has raised some very fundamental questions about underlying assumptions of the criminal justice system.

At the same time, there has been increasing public frustration that the resources spent in the criminal justice system are not producing the results expected. The public has lost confidence in the ability of the criminal justice system to produce justice or safety in the community. Dissatisfaction is giving rise to an interest in new ways of approaching the problem.

The feminist movement raised challenges to the very conceptualization of justice. The modern legal system is based on a rights/rules model of justice in which justice is codified by rules and regulations and expressed through a hierarchy of power based on an objective logic. A feminist perspective proposes an understanding of justice based on a care/response model which is characterized by attention to the network of relationships and mutuality based on the context of the situation and is more compatible with restorative justice than with current practice.

Increased awareness of cultural differences and a newly awakened respect for indigenous cultures and their processes of justice also contributed to the growth of interest in restorative justice. Key models which fit restorative values have emerged from indigenous practices.

Supportive Trends In Probation and Parole

Certain practices within probation and parole provide a natural foundation for building a restorative response. The past 20 years have witnessed an increased emphasis on restitution and community service and increased contact by probation and parole agents with victims for input into the process. The community corrections movement emphasized the importance of community involvement and the need to reconnect the offender with the community. Restorative justice builds naturally on those trends within probation and parole. Many probation and parole agents have been individually guided by similar values in their work. Restorative justice is providing a common language and a comprehensive framework which give legitimacy and coherence to the innovative work of these probation and parole agents.

Next Step In the Evolution

Though restorative justice builds naturally on the community corrections movement, it requires pushing our understanding of the relationship between the community and the justice system to a new level.

Restorative justice takes several of the concepts of the community corrections movement one step further. The community corrections movement in the 1970s was based on three key ideas (Pranis 1997, p. 36):

- Corrections should attend to the relationship between the offender and the community.

- The community should assist in the work with the offender.
- This approach should be used with property offenders.

Under the restorative justice philosophy those three ideas have evolved to the following:

- The criminal justice system should attend to all of the broken relationships between
 - * the offender and the community,
 - * the victim and the community, and
 - * the victim and the offender.
- The community should be the leader in the resolution of the criminal incident — not just a helper.
- The philosophy of repairing harm and attending to victims should apply to all offenses.

The understanding of the relationship between community and the justice system in contemporary criminal justice has undergone significant change and continues to evolve (Pranis, 1997, p. 36 - 37). Typically this relationship can be identified in one of five levels:

Level One: Justice system operates independently of the community

- Expert model, "We (the justice system) have the answers."
- Community contact is a nuisance and gets in the way of the real work.
- Professional system defines and solves the problem.

Level Two: Justice system provides more information to the community about its activities

- Expert model, "We (the justice system) have the answers."
- The community is viewed as a client with a right to know what the professional system is doing.
- Professionals define and solve the problems but keep the community informed about what they do.

Level Three: Justice system provides information to the community about its activities and asks for intelligence information from the community to help do its work

- Expert model: "We (the justice system) have the answers."
- The community is viewed as a client and as a good source of information for the expert work.
- Professional system defines the problem and solves the problem with useful information provided by the community.

Level Four: Justice system asks for guidance, recognizes a need for community help, and places more activities in the community

- Modifies expert model: Experts provide leadership, but the contribution of the community is valued.

- The community is cooperative, but the justice system still leads.
- The community is asked to help define problems but the justice system is still chief problem solver, with help from the community.

Level Five: Justice system follows community leadership while monitoring community process

- Experts are support systems.
- The justice system supports the community in achieving community goals while protecting rights of individuals and ensuring fairness.
- The community defines and solves problems with help from the justice system.

Good community corrections programs have generally operated at level four. Several models emerging in the restorative justice framework, such as circle sentencing, operate at level five.

Importance Of Community Involvement

Crime is, in fact, a community problem — not just a system problem. In the past 20 to 30 years, there has been the tendency to send community problems to professional systems and wait for professionals to fix the problem. It turns out that it does not work. Communities must be intimately involved in solving their own problems — with the help of professionals, but with a much greater community hand in shaping and implementing solutions.

The criminal justice system cannot deliver improved public safety without the active involvement of the community. The community has tools that the system does not have. The community has resources that the system does not have. The community has power that the system does not have. Criminal justice activity needs to be built around a core of community activity.

The criminal justice system can exercise enormous power over the bodies of offenders, but it is relatively powerless in affecting the minds and hearts of offenders. The behavior change wanted from offenders comes primarily from the heart and mind. Communities do have significant power to change the hearts and minds of offenders. Communities influence the behavior of their members through caring and setting limits.

The community is the source of moral authority. The criminal justice system exercises legal authority. Moral authority is grounded in the power of personal connection and a sense of common fate, in mutual commitment to resolution, to finding harmony. Moral authority is rooted in relationships not in statute books. Legal authority that is not clearly grounded in the community's moral authority, as demonstrated by active community involvement, is hollow and ineffective.

RESTORATIVE JUSTICE: THE SCOPE

If the role of the criminal justice system is to facilitate repair of the harm of crime where possible and to organize interventions of support for victims and support and accountability for offenders which strengthen communities, then restorative values and principles need to be applied to all kinds of crime.

Restorative justice is more concerned with asking the right questions and involving the affected parties in answering those questions, rather than having the right answers to the justice system. Key questions posed by restorative values include the following:

- How can we support the victim and bind up the wounds?
- How can we increase the opportunity for victim involvement in defining harm and potential repair?
- How can we increase offender awareness of injury to the victim?
- How can we encourage offender acknowledgment of wrongness of behavior?
- How can we involve the offender in repairing the harm?
- How can we acknowledge victim harm and confirm that the victim is not responsible for what happened?
- How can the community send messages of disapproval while not banishing offenders?
- How can the community provide opportunities for the offender to repair the harm?
- How can the community be involved in the process of holding offenders accountable?
- How can we ensure that the offender leaves the system more competent to function effectively in the community?
- How can we increase connections between the offender and conventional community members?

These questions are clearly applicable for all kinds of offenses. For what kinds of crimes would services and support for victims be provided? For what kinds of crimes would offenders understanding the way in which their behavior-harmed human beings not be desired? For what kinds of crimes would the community want to be involved? These questions seem relevant and productive for every kind of harmful act. Consequently, restorative values and goals apply to all crimes.

However, no specific restorative process or program is appropriate for all kinds of cases. Some cases are not appropriate for any form of face-to-face contact between the victim and the offender. Some cases are not appropriate for allowing the offender free movement in the community. For example, in cases of violent predatory behavior, part of the harm of the crime is the damage to the sense of safety in the community. It is not possible to repair the community fabric if violent predators are free in the community. To repair the community fabric violent predators need to be restricted, which generally requires secure custody. Nonetheless, the offender remains a member of the community and the community retains responsibility for staying in relationship with the offender and attending to the welfare of that offender. The purpose of custody is not punishment, but safety. Restorative values can still be applied in the way secure custody is carried out.

Moving Toward A Restorative Vision

Restorative justice involves shared leadership, shared decision making and collaborative problem solving that includes all stakeholders. Consequently, there can be no blueprint for creating a restorative system. All stakeholders working together in an inclusive, respectful process must create the path. Restorative justice is not a program or a cluster of programs. It is a way of working with victims, offenders, and communities to achieve the goal of repairing the harm to the degree possible.

Change toward a more restorative system occurs at multiple levels. The individual probation officer changes practice, the probation organization changes organizational structure and policy, and the community changes its relationships and involvement. These changes all interact with one another. It is a messy and unpredictable process that requires continual communication among participants and frequent checking against the larger vision. Shared vision is absolutely essential to ensure that all activities and processes at the various levels and in various sectors are mutually reinforcing and synergistic.

Directed Change

In some places, this change process may proceed in a directed fashion with a comprehensive plan and a well-defined step-by-step process. The development of the Reparative Board program in Vermont is a good example. The process was led by the Vermont Department of Corrections and began with market research about community expectations and desires and data analysis of current practice and resource allocation. Based on that information, a new practice — reparative panels — was designed to involve community members and reduce the use of unfocused probation supervision for low level offenders. New roles were created for the professionals who would work with the community panels. The new model was tried in a few pilot sites. After testing, the model was implemented statewide.

The reparative panel model was created by the Department of Corrections and was implemented unilaterally. However, its success depends upon cooperation of prosecutors, defense bar, judges, and community volunteers. Those players were engaged at the implementation stage and have had varying degrees of commitment to the process. Though the community was not directly involved in creating the reparative model, the community has received it very well. The reparative board model continues to change as it expands and as it incorporates learning from other restorative practices and models. For example, the original plan did not involve victim participation in the panel process. Upon examination of other models, the Department of Corrections began encouraging local boards to involve victims in their process. Though the Department of Corrections created the model, a significant amount of autonomy has been given to local boards.

The Vermont experience is an example of a linear, top-down process that intentionally moved toward sharing power, giving communities real decision-making authority concerning obligations of offenders. But the process is never as orderly as it appears on paper. While the Vermont Department of Corrections has created a significant shift in the role of the community and its

relationship to corrections across the entire state, the outcomes do not always fit the vision held by the Department. Some of the boards operate more like parole boards, sitting in judgment on others, than like community peers engaged in problem solving with one of their own members. Other boards have incorporated more restorative values as they discover new possibilities.

This process has been dependent upon leadership from the top and extra outside resources through grants. Its advantages include a clear path for implementation, clear expectations, faster dissemination of a particular program, and systemic impact within corrections.

Guided Change

In some locations, movement toward a more restorative approach has been guided by a vision but without a specific action plan or directed process. Change in Minnesota is largely characterized by this approach. The Department of Corrections has provided a position to support change across the state in multiple sectors of the community, but has not attempted to implement any particular program or chart a particular sequence of actions toward restorative justice. Consequently, restorative approaches have developed in a piecemeal fashion in schools, neighborhoods, police departments, prosecutors' offices, courts, probation, juvenile facilities, and prisons, based on local interest and energy. General education is provided on the broad philosophical framework and on multiple examples of restorative practices. Local initiatives, then, often develop a customized approach, drawing on one or more of the practice models. No program or practice has been implemented statewide; but a wide variety of approaches are being tried in many different settings, and strong local ownership characterizes them because they are locally designed.

This approach depends less upon leadership from the top, involved no new legislation and no major grant funds. It is more difficult to monitor and document impact. It also is more difficult to project the future path of this effort. This approach, however, is more responsive to unexpected opportunity.

Leadership For Change

Leadership for change can come from a variety of directions. Leadership can come from a judge, probation staff, law enforcement, community groups, a prosecutor, a victim advocate, or the faith community. Initial steps may come from management or line staff. Wherever the effort begins, it is important to expand to the key stakeholders (victim, offender, community, and other parts of the criminal and juvenile justice system) as soon as possible. Outreach to key stakeholders may begin with education, information, and an invitation to participate in planning and development.

RESTORATIVE PRACTICES

Different priorities in a restorative approach lead to emphasis on practices which increase victim input, community involvement, offender awareness of the injury to the victim, community and themselves, and relationship building. In a restorative approach, every intervention of the system is assessed for its impact on community strength. Does the intervention leave the community stronger than it was before the crime happened?

Processes which strengthen community are those which

- create new positive relationships or strengthen existing relationships,
- increase community skills in problem solving or conflict resolution,
- increase the community sense of capacity and efficacy in addressing problems — the self confidence of the community,
- increase individual awareness of and commitment to the common good, and
- create informal support systems or safety nets for victims or offenders.

Emerging And Expanding Practices

Several specific, structured programs or practices that address the priorities of a restorative approach are emerging or expanding into mainstream practice. They include

- victim offender mediation,
- family group conferencing,
- community panels or boards,
- peacemaking or sentencing circles,
- victim impact panels, and
- victim impact classes.

Detailed descriptions of each of these practices may be found later in this chapter.

Traditional Practices

Two very common traditional practices, which make a significant contribution to restorative outcomes if implemented in a restorative fashion, are restitution and community service.

In a restorative system, restitution has a very high priority because it is one of the most direct and visible ways to repair the harm of the offense to the victim. To increase the likelihood of payment, restitution can be supported with work opportunities, careful tracking and reporting, and a clear message from the criminal and juvenile justice system about the importance of repaying the victim. Restitution determined in a face-to-face process between the victim and offender has a higher probability of being paid. Many offenders consider all payments to the court to be for the court. It is important to make a concrete connection for the offender between the payments and repairing harm to the victim. In a restorative system restitution clearly takes priority over other financial obligations to the court.

Community service has great potential to achieve restorative outcomes, but is unlikely to be restorative if not guided by values of respect and dignity and the importance of assigning work which is valued by the community. If the intent of requiring community service is to make amends to the community,

the offender's experience will be quite different than if the intent of the community service is to make the offender suffer or to humiliate the offender. To be effective as a way to create a new positive relationship with the community, it is important for the offender to understand acceptance in the community as a possible outcome of his/her efforts. Potential restorative outcomes of community service:

- Provide an opportunity for the offender to make amends to the community.
- Add value to the community through the work contribution of the offender.
- Place the offender in a position where the community can see that person's capacity to contribute. Changes the community's perception of the potential of the offender.
- Increase the offender's investment in the community. The more invested community members are, the less likely they are to cause harm.
- Develop work skills for the offender.
- Provide positive role for the offender.
- Create relationships which strengthen the fabric of the community.

Community and victim input in choosing work projects for community service can increase the restorative impact. Celebrating completion of community service and providing feedback to offenders about the benefit of the service to the community also can increase the positive impact. Community work service projects, which involve ordinary community members working side by side with offenders, are particularly effective.

There are important lessons from the community service learning experience in schools that could be applied to community service in probation. Community service learning practitioners emphasize the importance of a reflection component to maximize the learning potential of the experience. The potential impact of community service may be increased by asking offenders to reflect on why they are doing community service and what difference the service makes to themselves and the community.

Mutual responsibility between individual and community is the loom on which the fabric of community is woven. Crime represents a failure of responsibility — sometimes only on one side, but often on both. Our response to crime needs to emphasize and reestablish mutual responsibility. Restorative community service creates the opportunity to reestablish mutual responsibility between the offender and community.

Weaving Restorative Values Into Daily Practice

Creating a restorative system requires more than programs. It is the cumulative effect of hundreds of small acts on a daily basis. It requires reexamining all activities and interactions from a restorative perspective. Do existing practices ignore the harm caused by the offender to others by focusing just on the offender's needs or on punishment? Do probation staffs understand the full impact of victimization so that they can communicate that to the offender? Are probation staffs trained to respond to victim contacts in a sensitive way? Do

probation staffs engage the support community of the offender in managing the offender's behavior? When concerns arise do probation staff facilitate problem solving by the offender and the community?

Individual probation agents are finding ways to take small steps which move toward restorative values. Some agents inform the victim of the community service done by the offender. Other agents have created ways to acknowledge completion of service or other obligations by the offender. Still others have become involved in community collaborations working on prevention.

Accountability in a Restorative System

Accountability is defined as taking responsibility for your behavior and taking action to repair the harm. Offender accountability/responsibility has these components:

- Understanding how that behavior affected other human beings — not just the courts or officials.
- Acknowledging that the behavior was a choice, which could have been made differently.
- Acknowledging to all those affected that the behavior was harmful to others.
- Taking action to repair the harm where possible.
- Making changes necessary to avoid such behavior in the future.

Community accountability/responsibility has these components:

- Attending to the wounds of the victim — both in the short-term and the long-term.
- Participating in a resolution to the incident that does not further harm any of those affected.
- Affirming community expectations and norms for all members without severing bonds.
- Identifying and addressing underlying community conditions that may have contributed to the behavior.

Criminal justice system accountability/responsibility has these components:

- Ensuring that there is a response to harmful behavior that does not increase risk to the community and the victim.
- Ensuring fairness in the response to harmful behavior.
- Facilitating victim and community involvement in resolving a crime.
- Providing resources and support to a constructive resolution to the crime.
- Sharing power with all affected parties.

Characteristics of restorative accountability strategies for offenders include:

- Making repair of harm to the victim a high priority.
- Ensuring amends are made to the community.
- Assisting offenders in gaining a greater understanding of how the incident affected others.
- Encouraging an apology and expressions of remorse.
- Involving the victim and the community in determining the accountability measures.

In a restorative approach incarceration is not an accountability strategy. Incarceration, in some cases, may be a necessary strategy for public safety, but it does not repair the harm of the crime. effective accountability strategies require an understanding of the impact of the crime on the victim. It is very important for probation agents as well as the offender to understand the harm to the individual victim in order to craft meaningful steps toward accountability.

Because relationships are a powerful force for shaping behavior, restorative justice requires combining accountability with support. The public discourse around crime has confused caring and condoning. It is possible and useful to disapprove certain behaviors and set limits on behavior while caring about the offending person. The most powerful messages of disapproval are those that come from the people who care most about the offender.

Support without accountability leads to moral weakness. Accountability without support is a form of cruelty (Basler, 1996, p. 47).

TRANSFORMED ROLE FOR PROBATION AND PAROLE AGENTS

Restorative justice changes

1. the focus of the criminal justice process,
2. the relationship between the system and the community,
3. expectations of the offender, and
4. the role of the victim.

Each of these dimensions of change has implications for a new role for probation/parole agents. Aspects of this new role include:

- Agents work with victims and communities as well as offenders.
- Agents facilitate processes, which engage the community in the criminal justice process.
- Agents engage in problem solving with other agencies and community groups.
- Agents share decision making power with other key stakeholders.

Probation agents work at two levels in the restorative process, the individual level and the community development level.

Individual Case Planning

According to Howard Zehr (1990) in the restorative model, individual case planning revolves around the three questions posed by in the aftermath of a crime:

- What is the harm?
- What needs to be done?
- Who is responsible?

Community and victim input are important in answering those three questions. Probation agents are responsible for facilitating the process to develop a case approach which adequately addresses the three questions and provides victim and community opportunity for involvement. At the individual case level, the probation agent's role shifts from a primary focus on directly managing the offender's behavior to facilitating community processes which manage the offender's behavior.

Community Development

A key role of probation agents in restorative justice is to assist in building the community capacity to solve its own problems and to manage its own members. Examples of developing the infrastructure include:

- Building relationships with good community work service projects.
- Organizing community meetings to build community interest in justice issues.
- Organizing training for community volunteers to facilitate victim offender mediation, family group conferencing, or other conflict resolution processes.
- Organizing community and victim involvement in decision-making structures for sentencing or disposition.
- Engaging the business community to provide job opportunities for offenders to earn money for restitution.
- Initiating collaborative prevention efforts based on the knowledge and experience of probation.

Skills and knowledge needed by probation agents include:

- Understanding of the victim experience.
- Conflict resolution and mediation skills.
- Knowledge of community organizations, leaders, processes.
- Facilitation and communication skills.
- Knowledge of job opportunities and the business community.
- Ability to supervise and support community members who work with offenders.
- Ability to identify support networks for victims and offenders.
- Ability to initiate change and then pass leadership to others.

Restorative justice calls for a different relationship among communities, victims, offenders and the system. In a restorative approach, probation staff facilitate processes in which community members work with offenders and sometimes victims. Traditional case management focuses on the relationship between the offender and the probation agent. Restorative justice focuses on the relationship between the offender and the community and the victim. In a restorative approach corrections professionals are challenged to understand how their work can contribute to repairing harm for the victim and the community. To work effectively probation agents need to understand victimization more thoroughly; they need to know community resources; they need to have skills in organizing community involvement.

Role of the Community

The community has a significant role to play at every level. The community has a role in determining sentences or dispositions, in implementing those sentences, in supporting victims, in maintaining relationships with offenders in custody, in policy development and in building community capacity to prevent crime. The following are examples of the roles that communities might undertake in the implementation of a restorative model of justice:

1. Role of the community in determining the “sentence” or terms of accountability.
 - Sentencing circles to decide what the resolution to a criminal incident should be. Originally developed in native communities, the circle process has been found to be useful in urban, suburban, and rural communities among a variety of cultural groups. The circles are open to all affected parties including any interested community member. All participants are decision makers. The outcomes are nearly always community-based sanctions.
 - Vermont’s reparative probation uses community boards to develop an agreement with the offender regarding the terms of probation based on four restorative goals (repair of harm to victim, repair of harm to community, understanding of how behavior harmed the community and avoidance of offending behavior in the future).
 - The Community Response to Crime Program in Bemidji, Minnesota, uses a community intervention team to meet with the offender to communicate how the behavior affects the community, community expectations for making amends and support for the offender in making amends.
 - Family Group Conferencing involves the community of people most affected by the crime (family and friends of the victim and family and friends of the offender) along with the victim and offender in deciding the resolution to a criminal incident. This can occur in a diversionary process or in an adjudicated process.
 - Community Conferencing involves the victim, offender, and several community members, along with the support system of the victim and

offender, in deciding what the offender must do to make amends. This process is used with both juveniles and adults.

These processes generally result in an agreement with the offender that specifies the offender's obligations for making amends. However, in each of these approaches the emphasis is not primarily on a technical process to decide the requirements placed on an offender. Each emphasizes a process of establishing a relationship of mutual responsibility—a process of human interaction. That is the critical nature of these efforts. The power is in the process rather than in the agreement itself. The meeting of the offender with community members is one of the most meaningful forms of accountability. Also it is a powerful process for communities to engage in to affirm its cultural norms. These processes give real meaning to the idea of answering to the community for your behavior.

All of these approaches leave the community stronger after the criminal justice intervention than it was before the crime happened. Most of these processes require some training or community education before implementation.

2. Role of the community in implementing the terms of accountability.

- Community Service: Providing sites for community service that is valued by the community, supervising completion, providing affirmation to offenders for successful completion (e.g., ceremonies of closure).
- Providing work opportunities so that offenders may earn money to pay restitution (e.g., Century Club, Deschutes County, Oregon, and Minnesota DOC grant program, Youth Repay, Dakota County, MN)
- Volunteer probation officers.
- Community mentors or sponsors (e.g., Genesee Justice, Genesee County, N.Y.).
- Volunteer mediators for victim offender mediation.
- Community support for treatment programs.
- Community involvement in self help or support groups for offenders.
- Provision of programs that build offender competencies (e.g., GED, cognitive behavioral programs).

3. Role of the community in supporting victims.

- Church based volunteer assistance (e.g., Neighbors Who Care).
- Volunteer victim advocates.
- Community involvement in self-help or support groups for victims (e.g., Mothers Against Drunk Driving, Parents of Murdered Children).
- Volunteer mediators for victim offender mediation.
- Police chaplaincy programs for victims.
- Healing circles for victims.

4. Role of community in staying in relationship with offenders who are in custody.
 - Prison and jail ministry programs.
 - One-to-one friendship programs (e.g., AMICUS, Minnesota).
 - Volunteer consultants who offer special programs in prison (e.g., cultural groups, job preparation, life skills, literacy).
 - Inclusion of inmate teams in a sports league.
 - Provide community service opportunities to offenders while in custody.
 - Jaycees and Toastmasters chapters in prison partnered with community chapters.
5. Role of community in policy development.
 - Advisory boards at every level (e.g. program advisory boards, county level community corrections advisory boards, statewide advisory boards for particular initiatives).
 - Input through public forums to get community perspective on existing and proposed approaches.
 - Input through surveys of community.
 - Community participation in prevention and social policy development.
6. Role of community in building community capacity to prevent crime.
 - Neighborhood mediation programs
 - Children First, based on the Search Institute asset building model, St. Louis Park, Minnesota.

Engaging The Community

Defining what citizens want must be understood as a work in progress. There must be a continual process for adding input and gathering new information to fill out the picture of what citizens want in their communities. It is difficult to engage an entire community and, in most cases, the resources are not available to do a comprehensive community planning process. What is possible, however, is to gather a group of interested persons around a particular event or issue, engage them in defining what they would want, share that information broadly for others to respond to, and keep the process open for challenge and refinement so that voices can come in at any point to help shape the direction the community is taking.

Lessons learned regarding linking the community with the criminal and juvenile justice systems include:

- Shared vision is critical. It is important to take time to explore and discuss the shared vision.
- Passion and spirit drive the most fundamental change. Passion and spirit need to be fed and encouraged.

- Open, inclusive processes that remain open to critics will produce the most responsive and resilient partnerships.
- Process is critical at all levels. The values of the shared vision must be reflected in every process.
- Procedures for raising difficult issues and working toward resolution must be clear to all participants.
- Community justice system partnerships are enriched by the presence of people who have been through the criminal justice system, both victims and offenders.
- Each community must find its own path.
- When one door is closed, try another.
- Storytelling is one of the most powerful ways to communicate your message.
- Shared leadership and shared decision making are awkward and uncomfortable. It's a messy business.
- It is very important to proceed through an elicitive process, in which local community knowledge and wisdom are tapped and used as a foundation for new processes and approaches.
- Move forward one step at a time. Stay flexible and responsive. If you map out a definitive path it is likely that you have imposed an agenda on others.
- Healthy linkages between the community and the criminal justice system benefit from their spending some time together that is not task focused.
- Be prepared to make mistakes.
- Watch for, acknowledge, and celebrate secondary successes and impact.

Cautions/Concerns Regarding Implementation Of Restorative Justice

Though restorative justice holds promise for more constructive responses to crime, there are many risks as well. There are many ways that restorative justice could be misunderstood, distorted, or poorly implemented resulting in harm to victims and offenders.

1. The deeply entrenched habits of thinking about criminal justice issues primarily in terms of the offender may be very difficult to overcome. Even people who are committed to restorative values often find it difficult to get out of an offender mindset. For instance, discussions about when to use certain kinds of programs or strategies nearly always frame that question around offender characteristics without taking any account of victim needs or interests.
2. It seems to be absolutely essential that the community's ability to manage behavior be reinvigorated — that is, exercise informal social control in appropriate ways. However, there is the possibility that people will picture that in terms of returning to the 1950s. The informal social control of the 1950s was overturned in the 1960s and 1970s for very good reasons related

to the racism, sexism, low tolerance of differences and humiliating interventions which characterized social control in the 1950s. If the same problems are reinvented they will simply have to be overthrown again in the future. It is an enormous challenge to encourage community members to hold one another accountable in ways that are deeply respectful of every individual in the community. It will not be a smooth path and will require the courage of talking about loving one another. There is a tragic shortage of political leadership that has the courage to talk about loving one another in real concrete ways — attending to real human needs, not just using nice words or saying prayers.

3. Tendency of system people, even reformers, to do planning without involving community and victims representatives.
4. Tendency of both community members and the criminal and juvenile justice system to think of solutions in terms of professional services — over-dependence on professionals.
5. Perception that restorative justice is a particular program or set of programs.
6. Lack of knowledge about the dynamics of victimization that might result in well-intentioned people revictimizing victims.
7. Risk of establishing trust with victims or offenders in one part of the system through a restorative approach, making that person more vulnerable to harm from non-restorative processes in other parts of the system.
8. A cultural addiction to linear plans and processes to be applied universally with little discretion makes it extremely difficult to shift to flexible, relational problem solving that creates as it goes along and requires individual decisions to be made. There is a cultural affinity to figuring it all out, drawing blueprints and then following strictly the directions of the blueprint. The process of creating restorative responses to crime is necessarily holistic, circular, shaped by those closest to the problem, responsive to the specifics of the environment (not universal), and messy! It also requires attention to values and philosophy. Culturally, there is not much patience for discussions of values and the intentional application of values on a daily basis to guide decisions within a span of options available.
9. Because restorative processes encourage attention to emotional needs and expression of feelings, participants may become more vulnerable than in traditional processes. Process managers or facilitators therefore face significant responsibilities in creating safe spaces for both victims and offenders. Failure to do so may put participants at increased risk.
10. Restorative justice calls for community accountability for the welfare of all its members, victims and offenders both. There is no clear language for this concept, much less mechanisms for holding communities, or the larger society, accountable and, therefore, there may be an inability to implement a key aspect of restorative justice.
11. There is a risk that restorative approaches will be seen as only appropriate for low level offenses and the result will be no significant change in

criminal justice in this country. Another risk is that restorative approaches will only be seen as appropriate for certain portions of the population, resulting in continued disparity for the most disadvantaged groups.

12. If community processes are created without being carefully grounded in restorative values, communities may act in ways that are less fair and more harmful than the current system.
13. Restorative processes are more democratic in their decision making. However, traditional framing of democracy in the United States emphasizes majority decision making. Powerless groups are not well-protected in majority processes. Both victims and offenders often are in a powerless status and vulnerable. Consensus processes provide greater protection to invisible or powerless voices, but most communities do not have extensive experience with consensus decision making and are skeptical about its viability.

Every step of the way, the process and product must be assessed against the values and principles of restorative justice. The best protection against the risk of unintended consequences is the active involvement of all stakeholders in planning and implementing restorative approaches. If everyone affected by decisions has a voice, then the risk of causing harm is greatly reduced.

Guidelines For The Journey

- There is no single path to restorative outcomes.
- Be really clear about your vision. A positive vision appealing to humane values is very powerful.
- Energy is most effectively expended supporting those who are interested, not in trying to convince those who are not.
- Watch for opportunities, remain flexible. Be prepared to change short-term plans because of unexpected opportunities or obstacles.
- Take the path of least resistance as long as it heads toward your goal.
- Expect to learn and evolve (don't be surprised if you feel slightly embarrassed by things you said two years ago — that's okay).
- Be careful about getting hung up on "plans."
- Keep a low profile when possible.
- You do not have answers for others; you have ideas to offer if they are interested.
- It is very important to be patient and listen to the objections being raised, especially concerns expressed by victims.
- All restorative justice practitioners should become knowledgeable about victimization.
- Make your process safe for dissent. Listen, listen, listen.
- Return regularly to a discussion of underlying values and philosophy.

CONCLUSION

Justice professionals are in an excellent position to provide the initial leadership necessary to engage communities in managing the behavior of their members through restorative processes. The formal justice system can provide support to a new community role by sharing power, helping the community build the necessary skills to handle conflict, developing models with the community, and providing resources to support volunteer involvement.

Government and professional systems cannot build strong communities. Community members — individually and collectively — build strong communities by acting on one another's behalf. Government and professionals have an important role to play in reducing barriers to community building, facilitating community building processes, ensuring fairness in community relationships, and reinforcing values and vision. But ultimately, community members must take responsibility for creating and maintaining a strong, vital, and safe community.

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THE VICTIM'S ROLE IN COMMUNITY JUSTICE

Tracy M. Godwin

Research Associate
American Probation and Parole Association

Victims of crime in America possess strong and vital voices that have contributed to public safety in our nation for over 25 years. Community justice proponents have much to gain and nothing to lose by tapping the wealth of knowledge, commitment, and courage that are exemplified by the victims' rights discipline in our nation today.

Anne Seymour
Public Safety Consultant

INTRODUCTION

For years, the justice process has been far removed from those most affected by its decisions — victims and the community at-large. However, a recently renewed focus on concepts such as “restorative justice” and “community justice” is attempting to bring government entities and communities together in important partnerships to address the problem of crime on local levels.

According to U. S. Attorney General Janet Reno (1997, p.16):

While the concept of community justice is still developing, two principles stand out — making the community a full partner with justice agencies to promote public safety, and addressing the needs of the community and the victim through a problem-solving approach. In effect, community justice builds on successes of the problem-solving ethics of community policing and expands that approach through a system of community prosecution, community courts and community corrections.

Justice organizations are experimenting with and implementing a variety of programs that embody community justice tenets — including developing strategies to more effectively involve and address the needs of victims of crime in criminal and juvenile justice processes.

Historically, criminal and juvenile justice agencies have implemented offender-directed practices, while ignoring or passively responding to the concerns of crime victims. While offender processing and supervision strategies are aimed at protecting the public as a whole from further victimization, the interests of individual victims often are lost among the burgeoning caseloads of offenders and the accompanying paperwork, as well as by a general lack of knowledge about crime victims' needs in the aftermath of an offense. It is imperative that justice agencies transform these offender-directed practices into ones that also are victim-centered. More importantly, perhaps, practices should

be principle-centered and address issues common to all sides such as accountability, rationality, efficiency, and fairness (Godwin, Seymour, Crowe, and Macgargle, 1997).

While the movement toward ensuring justice for our nation's crime victims has made significant progress over the past two decades, much more remains to be accomplished. This is clearly illustrated by the stark inequities between treatment of offenders and victims in the current system described in Figure 1.

In examining the disparities identified in Figure 1, it is clear that if the principle of community justice that involves addressing victim concerns in problem solving approaches is to be realized, changes in current practices must occur (Godwin et al., 1997).

While some victims report crime and follow through with prosecution because they want to see the offender punished, other crime victims have different and more complex expectations. Overall, the majority of victims want

- to be protected,
- safer communities,
- accountability by and rehabilitation of the offender,
- improved social conditions of the neighborhood problems that led to the crime,
- prevention of future crimes from occurring, and
- to "see justice done."

Agents of the criminal and juvenile justice systems are charged with processing cases from the time a victimization occurs through the investigation, arrest, prosecution, and sanctions process. At each point on this continuum, justice agencies and practitioners have opportunities and obligations to provide victims with assistance, services, and accommodations in an attempt to alleviate their difficulties in what is often a very trying and tragic time in their lives. To ignore this responsibility can lead to a "secondary victimization" for crime victims (Gaboury, Seymour, and Edmunds, 1996). A justice system that depends on and includes victims will better reflect community concerns and will be more therapeutic for victims. It can help restore victims' sense of control, lead to safer communities and families, create constructive channels for their anger and frustration, and help forge a new social bond to reduce their sense of separateness. It also brings the justice response closer to those who are most affected by crime.

So, how can victims' needs be addressed in community justice initiatives at the police, prosecution, court, and community corrections levels? First, it means providing more and better direct services to victims of crime at all points on the criminal and juvenile justice continuum. Second, it means proactively including victims, victim services organizations, and victim advocacy groups in community prevention and problem-solving efforts.

Figure 1: Treatment of Offenders and Crime Victims in the Criminal Justice System

- ◆ Offenders are afforded constitutionally protected rights immediately upon arrest.
- ◆ Offenders must be informed of their rights immediately upon arrest.
- ◆ If they are injured, medical attention must be given to offenders at the earliest opportunity.
- ◆ Offenders are arraigned within specific time periods, and their cases are reviewed for legal findings to make certain that their arrest was legal and that their pre-trial incarceration was warranted.
- ◆ Incarcerated offenders are provided with food, adequate housing, television, and medical services.
- ◆ Indigent offenders are eligible to receive services from court appointed attorneys.
- ◆ Legal provisions provide opportunities for charge reductions or plea bargaining without the input of the victim.
- ◆ Offenders can waive time for court proceedings or request that the court consider moving the case to a different jurisdiction.
- ◆ Various legal provisions and court rulings provide the defendant with a variety of protections and opportunities for motions to suppress evidence or dismiss charges.
- ◆ Convicted offenders have a right to appeal their convictions through any number of legal proceedings that can continue for many years.
- ◆ If convicted, offenders are afforded a variety of punishment options.
- ◆ Opportunities for job training or education programs are provided to some offenders that are paid for by taxpayers.
- ◆ Due to overcrowded conditions in prisons, most inmates are eligible to earn "good time" credits, which can serve to reduce their sentence, while others become eligible for early release.
- ◆ Many offenders participate in rehabilitative programs to assist them in restoring their lives.
- ◆ Upon release, offenders on parole are given support services such as assistance in obtaining jobs and finding places to live.
- ◆ Victims who incur medical expenses as a result of injuries sustained due to the crime are required to pay those expenses that are not covered by insurance or restitution.
- ◆ Many victims need psychological counseling that frequently is not covered by medical insurance.
- ◆ Victims who suffer property loss must assume full responsibility for the replacement of all items lost or destroyed not covered by insurance.
- ◆ Often, victim compensation programs are unable to cover all of a victims' financial losses.
- ◆ Many jurisdictions do not provide victims with the right to obtain information about the progress of their case.
- ◆ In an effort to protect the rights of the offender, victims are excluded from obtaining select information about the investigation, arrest, prosecution, or incarceration of the offender.
- ◆ If the offender of their case is arrested, many victims have to assume all expenses associated with attending a number of court proceedings.
- ◆ Many victims are required to give numerous statements regarding the circumstances of the offense as their case progresses through the criminal justice system.
- ◆ Often, victims are excluded from participating in or consulting on plea bargain agreements.
- ◆ With the exception of one state, victims are not entitled to legal representation, and are only represented by the prosecuting attorney who, in reality, acts on behalf of the state.
- ◆ The victim does not have a right to make motions or introduce evidence, protest suppression of evidence, or appeal any rulings or dispositions arrived at by the court.
- ◆ Provisions guaranteeing "speedy" proceedings do not apply to victims.
- ◆ In some cases, victims never receive notification of the disposition of the case or are never afforded an opportunity to provide input into the sentencing process.
- ◆ Most victims do not have the right to mandatory restitution or reimbursement for financial losses incurred as a result of the crime.
- ◆ Many victims are subjected to continued harassment and intimidation from the offender without being afforded aggressive efforts to protect them from harm.
- ◆ If the offender is incarcerated, some victims do not have access to information about the offender or have an opportunity for input into the parole process.
- ◆ The state does not afford victims comprehensive opportunities for rehabilitation or reconstruction

Source: (O'Ran, 1996)

CORE COMPONENTS OF VICTIM SERVICES WITHIN THE JUSTICE SYSTEM

There are nine core components of comprehensive victim services in the criminal and juvenile justice system. These services, which can be multi-disciplinary include (Gaboury et al., 1996):

1. Orientation to the criminal justice system and process.
2. Assistance to victims and witnesses who must testify.
3. Crisis intervention.
4. Information about individual case status and outcome.
5. Assistance with compensation and restitution.
6. Facilitating victim participation in the criminal justice system.
7. Facilitating property return.
8. Information about and referral to community services.
9. Education and training for the public, justice system personnel, and other local service providers about the needs and rights of victims in the criminal justice system.

The following section briefly describes basic roles and responsibilities of various criminal justice agencies in addressing victims' needs through direct service.

Law Enforcement Role

The primary functions of law enforcement are to protect life and property, prevent crime, and apprehend offenders (Barlow, 1990). As the entity that is the first respondent to most crimes, law enforcement agencies serve a vital role in providing immediate intervention and assistance to victims of crime. This essential assistance includes providing on-site crisis intervention; securing emergency medical assistance, and providing information and referrals to services and resources that can assist victims' short- and long-term reconstruction (Gaboury et al., 1996).

Although police and sheriff's departments today tend to provide more and better services for crime victims, this has not always been the case. The positive change in attitude toward victim services has been encouraging; however, many law enforcement officials continue to perceive their victim assistance responsibilities as a secondary responsibility (Gaboury et al., 1996).

Historically, law enforcement officers have not received adequate training on victimization and the effect violent crime has on victims. Therefore, undertrained police officers come into contact with an emotionally distraught victim, which can, in turn, result in a combination of effects that decreases a victims' confidence and willingness to participate in the criminal justice system (Gaboury et al., 1996).

A great deal of progress has been made over the past 10-15 years to increase law enforcement officers' sensitivity to victims' issues: (1) Victim sensitivity training has been incorporated with some departments' police academy training; and (2) law enforcement-based victim services programs have been established.

By implementing effective victim service programs within a police department, law enforcement officers are able to devote their time to the primary law enforcement responsibilities of investigating crimes and arresting suspects. In turn, crime victims are well-served because they receive basic services through the law enforcement agency (Gaboury et al., 1996).

Furthermore, the move that many jurisdictions are making toward community policing holds important implications for victims and those who serve them. Law enforcement officers are more visible and active on the streets and in neighborhoods. Therefore, the delivery of victim services can be provided more swiftly and involve supportive advocacy from all facets of a neighborhood or community — e.g., businesses, churches, social services (Gaboury et al., 1996).

Prosecution's Role

The primary role of the prosecutor is the successful prosecution of criminal cases, both adult and juvenile, and assuring justice. Usually, this is accomplished within specific budgetary and human resources limitations. Also, due to overwhelming workloads, there is tremendous motivation for prosecutors to use their limited resources to dispose of cases in the most just, yet efficacious, manner possible — which often is accomplished through plea bargaining. This motivation often comes into direct conflict with needs and desires of individual victims, who often want to see their particular perpetrator prosecuted to the fullest extent of the law. If a case progresses past the plea negotiation stage and is sent to trial, the differences between offenders' rights and victims' rights become more pronounced and can cause consternation for many victims of crime (Gaboury et al., 1996). Although prosecutors must continue to represent the universal interests of the state, they also are uniquely positioned to rediscover and represent the interests of crime victims and communities (Bazemore, n.d.).

There are a number of services that prosecutor-based victim assistance programs can and should provide to victims of crime. The most important of these services is notifying victims of the status of the case and delays that frequently occur in the progress of a criminal prosecution. Crime victims often are distressed by the perceived lack of progress in their cases and the constant inconvenience of rearranging their personal and work lives to attend court hearings that oftentimes are delayed. Additional services that prosecutor-based victim service programs can provide include

- assisting victims in attending, preparing for, and participating in court proceedings;
- providing intervention, protection, and recourse to victims who are being intimidated or harassed by perpetrators;
- educating victims on the criminal justice system and their role within it;
- coordinating the inclusion of victim impact information into court proceedings (including plea bargains, pre-sentence reports and sentencing) with probation and the judiciary;

- offering employer, landlord, and/or creditor intervention services;
- expediting the prompt return of property, and
- making referrals to appropriate victim assistance and victim compensation programs (Gaboury et al., 1996).

A relatively new approach being taken by some prosecutors' offices is the implementation of "vertical prosecution units." Typically, these units are designed for domestic violence or sexual violence cases, and prosecutors working within the unit are specially trained to maintain caseloads of one type of victimization. Vertical prosecutors work on a case from the initial filing of charges through disposition, which helps streamline the prosecution process for crime victims. They have one person working on their case, as opposed to several prosecutors working on the case at various stages in the prosecution (Gaboury et al., 1996).

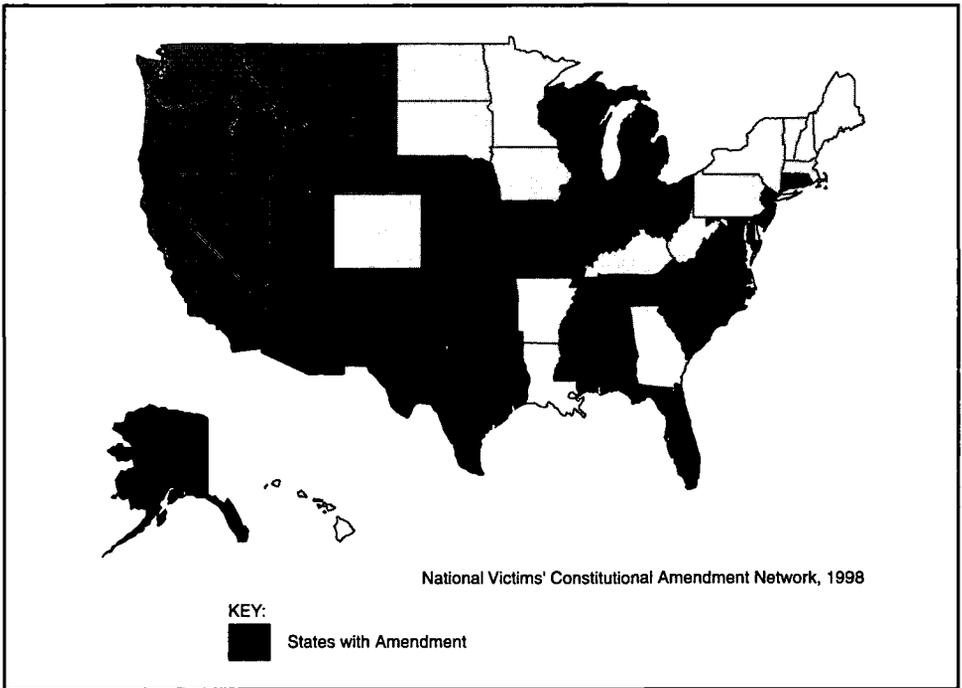
Judiciary and Courts' Roles

The judiciary is intended to be a neutral entity that oversees the progress of a criminal action. Judges should weigh and protect the rights of all parties involved in a criminal prosecution. Typically, however, a judge can only take actions that are specified by law and procedural rules or otherwise are within the discretion mandated by law. Judges are empowered to sentence convicted criminals for the crimes for which they have been convicted. It is important that judges weigh information regarding the impact of the crime on the victim in their assessment of appropriate sentences, as well as in various post disposition decisions (e.g., reconsideration of sentences, appeals) (Gaboury et al., 1996).

It also is imperative that the judiciary and courts ensure that victims understand their rights under the law. All 50 states have a wide variety of statutory rights for victims, and as of 1998, 32 states had passed amendments to their constitution to protect the rights of victims of crime (National Victims' Constitutional Amendment Network, 1998). A map indicating states that have passed constitutional amendments related to victims' rights is highlighted in Figure 2. There is a strong movement on the federal level as well. An amendment to the U.S. Constitution has been introduced, that, if passed, would guarantee victims' participatory rights, reasonable protection, and restitution throughout the criminal justice process.

Other victim services that the judges and courts should provide include (Gaboury et al., 1996)

- courtroom orientation for victims;
- providing victims with physical waiting accommodations that are safe, secure, and separate by sight and sound from the defendant or his/her family and friends;
- considering victim impact information in all cases prior to sentencing (including in change of plea hearings if they do not coincide with the sentencing and in measures that are commensurate with the victims' age and/or cognitive development);

Figure 2: States with Constitutional Amendments for Victim's Rights

- asking attorneys if they have consulted with the victim;
- including any reasonable measures requested by the victim to ensure his or her safety and security, such as protection or “no contact” orders;
- ordering restitution payments that are realistic, receiving priority above fines and other offender obligations;
- ensuring that restitution orders do not fall through the cracks by developing a system of collection, disbursement, enforcement and victim recourse (involves probation, the clerk of court, corrections and parole);
- in inter-familial criminal cases, ordering convicted offenders to pay legal and financial obligations — such as child support, costs of counseling, legal fees, or mortgage/rent payments — that help the victim gain independence from the perpetrator;
- ensuring that all relevant victim information be included in convicted offenders’ files — with victim confidentiality and the security of this information guaranteed — that are sent to probation, parole, or institutional corrections; and
- seeking victim input into sentences involving community service, and providing opportunities through creative sentencing for victim offender programming, such as mediation, family group conferencing, and victim impact panels.

Community Corrections' Role

With more than two-thirds of all offenders being sentenced to some type of community supervision (Bureau of Justice Statistics, 1997), it is essential that community corrections agencies develop programs and practices that are responsive to victims' needs. Probation and parole have access to both general and offender-specific information that could address victims' informational needs and concerns. Just knowing how probation and parole work, an offender's custody status, and that offenders will be held accountable for their actions (e.g., through the payment of restitution or other supervisory conditions) often is enough to ease the fears and frustrations of victims. Additionally, probation and parole professionals are familiar with the services available within the community to address offender needs. Victims have many of these same needs and could, therefore, benefit from this information (Godwin et al., 1997).

Examples of victim services probation and parole agencies should provide include (Gaboury et al., 1996; Godwin et al., 1997):

- soliciting and incorporating victim impact information into the presentence or post-release investigation report,
- determining any specific conditions of probation/parole that will ensure the victims' safety and security,
- providing opportunities for victim offender programming,
- keeping the victim informed of the offender's status, if requested,
- monitoring and managing the collection of restitution,
- providing information and referral services to victims who need assistance,
- educating victims about probation and parole, and
- providing information about and referrals to victim services in the community.

The extent to which these services are present varies from jurisdiction to jurisdiction; however, they have become more prevalent over the past decade. An emerging trend is for agencies to make complete agency-wide paradigm shifts to a model of *restorative justice* with the primary concern being repairing the damage or harm done to victims and the community through victim involvement, mediation and reparation (Bazemore, 1994). Therefore, more innovative services include victim offender mediation, victim impact panels, and other victim-offender programs. In addition, some community corrections agencies have developed specialized units for addressing the needs of certain types of victims (e.g., family violence, sexual assault) to help ensure their safety and to empower them.

Institutional Corrections Role

When an offender is convicted and sentenced to a term of incarceration, the state Department of Corrections (DOC) or the Federal Bureau of Prisons (BOP) assumes responsibility for his/her supervision. An offender's case file is used as a basis for "offender classification." The file contains details from

the crime, court case and sentence, victim impact statement (when applicable), recommendations for treatment services during the period of incarceration and personal information. Offenders are classified in order to place them in the most appropriate incarceration setting (e.g., minimum, medium, maximum, or super-maximum facility). The DOC or BOP house the offender for his/her period of incarceration; implement and monitor work, educational and treatment activities available to inmates; and coordinate release into the community with paroling authorities (Gaboury et al., 1996).

An estimated 47 of the state corrections departments in the United States and the federal system have victim services programs. These victim services programs are responsible for providing the following services to crime victims (Gaboury et al., 1996):

- obtaining relevant victim information — including victim impact statements and protection orders — from court documentation for inclusion in the offender's file;
- protecting the confidentiality of victim information through protected automated databases or "flags" on paper files that delineate this information is not available to inmates or their counsel;
- providing victims and witnesses with information and recourse relevant to inmates who attempt to intimidate, harass, or harm the victim during their period of incarceration;
- upon request, notifying victims of an offender's status, including but not limited to, current location, classification, potential release date, escape, or death;
- implementing and monitoring victim/offender programming, such as victim impact panels, victim/offender mediation or conciliation, or "Impact of Crime on Victims" programs;
- if applicable, monitoring, collecting and disbursing restitution payments to victims and/or fines to state victim compensation programs;
- ensuring that inmates receive programming that is commensurate with court orders relevant to victims (e.g., sex offender treatment, alcohol/drug counseling, anger management);
- coordinating the physical location and logistics of parole release hearings with paroling authorities, victims, and victim service providers;
- providing information and referrals to victims who require assistance; and
- participating in multidisciplinary efforts with other entities that comprise the criminal justice system to ensure a seamless delivery of rights and services to victims of crime.

BUILDING PARTNERSHIPS WITH CRIME VICTIMS

While necessary and important, criminal justice agencies attempting to implement practices based on community justice principles to address victim needs cannot revolve exclusively around developing or providing direct

services to victims of crime. For community justice initiatives to be truly meaningful, criminal justice agencies also need to make more concerted efforts to involve victims, victim services organizations, and victim advocacy groups in their community prevention and problem-solving efforts. Developing partnerships with victim service organizations and victim advocacy groups is an ideal way to

1. gain a better understanding of the effects of crime and the current system's response from those most directly affected,
2. share and receive information about services being provided to victims, and
3. create a powerful base for advocating for victims' rights and other criminal justice services.

Traditional outreach methods involve using the media and developing written materials to inform victims and the public about the various agencies' missions, operations, and services in measures that reflect the cultural and geographic diversity of victims. More innovative strategies involve justice personnel developing partnerships with the public and various entities, including victim groups.

Community policing, community prosecution, and community-focused courts are all initiatives being implemented in some areas as community justice initiatives. In each of these programs or projects, information is ideally solicited from community members about their needs and ideas for improving the system's approaches. Rarely, however, are victim service groups or advocacy groups specifically and intentionally invited to participate in these meetings or discussions. It is recognized that in many instances the "community" is perceived as the "victim." Also, it is recognized that many community members are also direct victims of crime, therefore their involvement in discussions can occur somewhat spontaneously. However, a more conscious effort needs to be made by justice agencies to include victims, victim service organizations, and advocacy groups to ensure that their unique perspective is heard and considered in prevention and problem-solving endeavors.

For example, some community corrections agencies have begun to take more proactive steps in building partnerships with victims. They have solicited help in program, policy, and practice development by creating advisory committees comprised of departmental staff, victim service providers and victims of crime. Advisory committees, such as the ones operating in the Pennsylvania Department of Corrections, the Tarrant County (Texas) Community Supervision and Corrections Department, and the Texas Department of Criminal Justice provide a continual assessment of the department's services provided to victims, staff training programs, community outreach strategies, and legislative and public policy initiatives.

Other ways in which criminal justice agencies can involve and partner with victims in community justice initiatives include

- public education and community outreach during commemorative weeks;
- extending invitations to victims, victim services organizations, and victim

advocacy groups when soliciting information and feedback from community members and organizations;

- utilizing local victim groups in prevention efforts to increase community safety and reduce crime;
- engaging victims and victim groups in public education efforts to inform other community residents and leaders about the effects of victimization; and
- establishing victim advisory councils.

Most of these options require minimal effort yet have the potential to reap substantial rewards for victims, criminal justice personnel, and the community-at-large.

CONCLUSION

Victims' unique perspectives and experiences are crucial to a comprehensive understanding of how to prevent and respond to crime in communities. Therefore, they need to be identified as a key constituent in communities and should play a prominent role in community justice initiatives. In doing so, the criminal and juvenile justice system and the communities and neighborhoods it serves will be strengthened.

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RESTORING THE BALANCE: JUVENILE AND COMMUNITY JUSTICE

Gordon Bazemore

Professor
Florida Atlantic University

Susan E. Day

Director
Florida Youth Restoration Project

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The problem of crime can no longer be simplified to the problem of the criminal.

Leslie Wilkins

Offender-based control strategies are incomplete, since they take a 'closed system' view of correctional interventions: change the offender and not the community.

James Byrne

INTRODUCTION

In a democratic society, citizens' expectations of government agencies are critically important. Unfortunately, within our juvenile justice system, community needs have been lost in the decade-long debate over the future of the juvenile court and the relative efficacy of punishment versus treatment. A number of politicians and policymakers argue for criminalizing our juvenile justice system through "get tough," adult sentences for juvenile offenders. Some even advocate abolishing the juvenile justice system and its foundation, the independent juvenile court.

On the other hand, many proponents of the juvenile court call for reaffirming the traditional treatment mission. Increasingly, the public and even many juvenile justice professionals perceive that treatment and punishment options are, as one judge aptly put it, "bad choices between sending kids to jail or sending them to the beach."

It is doubtful that either traditional treatment or criminalized retributive models can restore public confidence in the juvenile justice system. Only through extensive, meaningful citizen participation will public expectations and community needs be met. For most juvenile justice systems, achieving this level of involvement will require substantial restructuring.

This article describes an alternative approach to addressing juvenile crime that focuses on the interests of multiple justice clients. Alternatively referred to as

restorative justice, the balanced approach, and balanced and restorative justice (BRJ), this model is viewed by a growing number of juvenile justice professionals as a way to reengage the community in the juvenile justice process.

The Limits of Current Paradigms

Crime should never be the sole or even primary business of the State if real differences are sought in the well-being of individuals, families, and communities. The structure, procedures, and evidentiary rules of the formal criminal justice process coupled with most justice officials' lack of knowledge and connection to (the parties) affected by crime preclude the State from acting alone to achieve transformative changes.

Judge Barry Stuart

Worse still, we fear that even when something does work, it is seen to do so only in the eyes of certain professionals, while 'outside' the system, ordinary citizens are left without a role or voice in the criminal justice process.

John Braithewaite and Stephen Mugford

Advocates of reaffirming treatment argue that the system is failing because it lacks adequate resources. Critics and defenders of juvenile justice, however, argue that juvenile justice systems have failed to articulate a vision of success. If juvenile justice is underfunded, it is also underconceptualized. As closed-system paradigms, the treatment and retributive models are insular and one-dimensional. They are insular because they are offender-focused and one-dimensional because they fail to address the community's diverse interests.

Although the punitive approach may appease public demand for retribution, it does little to rehabilitate or reintegrate juvenile offenders. Punishment is often used inappropriately, resulting in amply documented negative effects. Ironically, retributive punishment may encourage offenders to focus on themselves rather than on their victims. Even increasing its severity may have little impact if we have miscalculated the extent to which sanctions such as incarceration are experienced as punishment.ⁱ

In the public mind, punishment is at least somewhat related to offense. In contrast, treatment appears to address only the needs of the offender. Treatment programs often ask little of the offender beyond participating in counseling, remedial services, or recreational programs. Even when such programs "work," they make little difference in the lives of victims of juvenile crime, citizens concerned with the safety of their neighborhoods, or individuals who want young offenders held accountable for their actions.ⁱⁱ

In fact, both punitive and treatment models focus little attention on the needs of victims and victimized communities. Neither model engages them as clients or as co-participants in the justice process. Whether treatment or

punishment is emphasized, the offender is the passive and solitary recipient of intervention and service. Increasingly reliant on facilities, treatment programs, and professional experts, juvenile justice systems exclude victims and other community members from what could be meaningful roles in sanctioning, rehabilitation, and public safety.

Fortunately, treatment and retributive models are not the only options for juvenile justice. The alternative, a community-oriented system, would involve citizens in setting clear limits on antisocial behavior and determining consequences for offenders. Victims' needs for reparation, validation, and healing would be at the core of a community justice system, which would work toward building crime-resistant communities whose residents feel safe. It would emphasize the need for building relationships and involving youth in work, service, and other roles that facilitate bonding with law-abiding adults. Finally, a community justice system would articulate more meaningful roles in rehabilitating offenders and improving community safety for employers, civic groups, religious communities, families, and other citizens.

Toward Community Juvenile Justice: A Balanced and Restorative Approach

Government is responsible for preserving order but the community is responsible for establishing peace.

Daniel Van Ness

- In inner-city Pittsburgh, young offenders in an intensive day treatment program solicit input from community organizations about service projects they would like to see completed in the neighborhood. They work with community residents on projects that include home repair and gardening for the elderly, voter registration drives, painting homes and public buildings, and planting and cultivating community gardens.
- In Florida, young offenders sponsored by the Florida Department of Juvenile Justice and supervised by The 100 Black Men of Palm Beach County, Inc., plan and execute projects that serve as shelters for abused, abandoned, and HIV-positive and AIDS-infected infants and children. In Palm Beach County, victim advocates train juvenile justice staff on sensitivity in their interaction with victims and help prepare victim awareness curriculums for youth in residential programs.
- In cities and towns in Pennsylvania, Montana, Minnesota, Australia, and New Zealand, family members and other citizens acquainted with a juvenile offender or victim of a juvenile crime gather to determine the best response to the offense. Held in schools, churches, or other community facilities, these family group conferences are facilitated by a community justice coordinator or police officer and ensure that offenders hear community disapproval of their behavior. Participants develop an agreement for repairing the damage to victim and community and a plan for reintegrating the offender.

- In Minnesota, Department of Corrections staff collaborate with local police and citizen groups to establish family group conferencing programs and inform the community about offender monitoring and victim support. In Dakota County, a suburb of Minneapolis, retailers and senior citizens whose businesses and homes have been damaged by burglary or vandalism call a crime repair hotline to request a work crew of probationers to repair the damage.
- In Deschutes County, Oregon, offender work crews cut and deliver firewood to senior citizens and worked with a local contractor to build a homeless shelter.
- In more than 150 cities and towns throughout North America, victims and offenders meet with volunteer mediators to develop an agreement for restitution. At these meetings, victims express their feelings about the crime and gain information about the offense.
- In several cities in Montana, college students and other young adults in the Montana Conservation Corps supervise juvenile offenders working on environmental restoration, trail building, and other community service projects. They also serve as mentors.

While many professionals have become demoralized as juvenile justice systems are threatened with extinction, others are seeking to create a new partnership between youth and victim advocates, concerned citizens and community groups.

The balanced and restorative justice model is centered around community-oriented responses to crime.ⁱⁱⁱ Jurisdiction implementing it represent a diverse range of urban, suburban, and rural communities. These communities share a common commitment to restructuring juvenile justice on the basis of a new mission (balanced approach) and a new value framework (restorative justice).

Restorative and Community Justice

From the perspective of restorative justice, the most significant aspect of crime is that it victimizes citizens and communities. The justice system should focus on repairing this harm by ensuring that offenders are held accountable for making amends for the damage and suffering they have caused. The most important issue in a restorative response to crime is not deciding whether to punish or treat offenders. Rather, as Howard Zehr suggests, the three primary questions to be answered are “What is the harm?”, “What needs to be done to make it right?”, and “Who is responsible?”^{iv}

A restorative system would help to ensure that offenders make amends to their victims. Juvenile justice cannot do this alone, however. Restorative justice requires that not only government but victims, offenders, and communities be actively involved in the justice process. In fact, some have argued that the health of a community is determined by the extent to which citizens participate in community decisions. An effective justice system strengthens the capacity of communities to respond to crime and empowers them to do so. As Judge Barry Stuart notes:

When members fail to assume responsibility for decisions affecting the community, community life will be characterized by the absence of a collective sense of caring, a lack of respect for diverse values, and ultimately a lack of any sense of belonging...Conflict, if resolved through a process that constructively engages the parties involved, can be a fundamental building ingredient of any relationship. As members increase their ability to resolve disputes creatively, the ability of the community to effectively sanction crime, rehabilitate offenders, and promote public safety increase.

The most unique feature of restorative justice is its elevation of the role of victims in the justice system. Victim rights has become a popular slogan, but victim needs are addressed by the system only after the needs of judges, prosecutors, probation officers, treatment providers, and even offenders are considered. Restorative justice does not define victim rights as the absence of offender rights; it focuses on the needs of victim, community, and offender. To bring balance to the present offender-driven system, however, it is necessary to give priority to victims' needs for physical, material, and emotional healing.

The Balanced Approach Mission

The balanced approach is a back-to-basics mission for juvenile justice that supports a community's need to sanction crime, rehabilitate offenders, and ensure public safety. Toward these ends, it articulates three goals for juvenile justice: accountability, public safety, and competency development (see Figure 1).^v Balance is attainable when administrators ensure that equitable resources are allocated to each goal.

- *Accountability.* Crime is sanctioned most effectively when offenders take responsibility for their crimes and the harm caused to victims, when offenders make amends by restoring losses, and when communities and victims take active roles in the sanctioning process. Because the offender's obligation is defined primarily as an obligation to his victims rather than to the State, accountability cannot be equated with responsiveness to juvenile justice professionals by obeying a curfew, complying with drug screening, or writing an essay. Nor can it be equated with punishment. It is easier to make offenders take their punishment than it is to get them to take responsibility for their actions.
- *Competency.* The most successful rehabilitation ensures that young offenders make measurable gains in educational, vocational, social, civic, and other competencies that enhance their capacity to function as productive adults. When competency is defined as the capacity to do something well that others value, the standard for achieving success is measured in the community. Competency is not the mere absence of bad behavior. It should increase the capacity of adults and communities to involve young people in work, service, dispute resolution, community problem solving, and cognitive skills building.

Figure 1

- *Public safety.* Assuring public safety requires more than mere incapacitation. Communities cannot be kept safe simply by locking up offenders. Locked facilities must be part of any public safety strategy, but they are the least cost-effective component. A balanced strategy invests heavily in strengthening a community's capacity to prevent and control crime. A problem-oriented focus ensures that the time of offenders under supervision in the community is structured around such activities as work, education, and service. Adults, including parents, are assigned clear roles in monitoring offenders. A balanced strategy cultivates new relationships with schools, employers, and community groups to enhance the role of juvenile justice professionals as resources in prevention and positive youth development.

The principle behind BRJ is that justice is best served when victims, offenders, and communities receive equitable attention in the justice process. The needs of one client cannot be met unless the needs of other clients are addressed. Crime severs bonds between victims, offenders, and families. Although offenders must take full responsibility for their acts, the responsibility for restoring mutual respect, understanding, and support among those involved must be shared by the community.

Small Changes Yield Large Results

The change at the heart of BRJ is embodied in the community-building interventions described above. BRJ collaborators, including juvenile justice and other service professionals, have discovered that even small changes in how they conduct business can have immediate and lasting effects on the dynamics of community relationships.

Communities in the United States and across the globe are making dramatic policy changes on the basis of restorative priorities. In 1989, New Zealand began requiring that all juvenile offenders over age 14 (except in the most serious cases) be referred to a family group conference in which restorative goals are addressed in meetings that include victims, offenders, support groups, families, policymakers, social workers, and others. The New Zealand law appears to have drastically reduced court workloads and the use of incarceration.^{vi}

Fourteen States have enacted legislation adopting the balanced approach as the mission of their juvenile justice systems. A number of States have administrative rules or statewide policies that require case managers and other decisionmakers to consider the goals of the balanced approach in disposition recommendations. In Pennsylvania and Montana, decisionmakers are using balanced approach criteria as funding guidelines and have formed statewide groups to oversee the development of restorative justice efforts.

Balanced and restorative justice cannot be achieved by mandates or legislation alone. As the three jurisdictions that constitute the OJJDP funded demonstration effort are learning, the new model cannot be implemented overnight. Working with different juvenile justice systems in diverse communities, administrators in Palm Beach County, Florida, Dakota County, Minnesota, and Allegheny County, Pennsylvania, are pursuing varied approaches to systemic change to build a restorative model from the ground up. These administrators have made significant progress but acknowledge that the kind of change envisioned by BRJ is quite different from past practices. This change is especially striking in the model's focus on citizen involvement, including restructuring juvenile justice agencies to more effectively engage the community.

Balanced and Restorative Justice: New Roles for Citizens and Professionals

I'm glad to see somebody is finally trying to instill some responsibility in these kids. I'm happy to help when it's obvious that we're trying to make taxpayers out of these kids, rather than tax liabilities.

Community Member

The Participants in a Balanced and Restorative Juvenile Justice System

In the mediation session I learned that the offender was just a little kid and not the threat I thought he was. I also learned he had some needs that weren't being met. ... For the first time (I've been a victim before), it seemed like someone was responding to my needs and listening to me.

Youth Crime Victim

When I first walked into the conferencing meeting and saw the victim and her friends and then saw my grandfather there I wished I could have gone to jail instead. But once everybody had talked about the crime I began to realize that Mrs. B was really hurt and scared by what I had done. I had to work hard to earn the money to pay her back and to do the community service hours (but the work on the crew was pretty fun) and I thought it was fair after all.

Juvenile Offender

Now I know what my job is really about! As a manager, I have a better sense of how to allocate, or reallocate, our resources. And my staff are getting a better sense of what their role is and how this fits with my vision of what the community's role is and how this fits with my vision of what the community's role should be. We know we're really 'out of balance,' but for the first time we have a plan to move forward without chasing every fad and new program that comes along. We can also talk to the community about what we're doing in a way that they understand and want to help.

Manager of a Local Juvenile Justice System

As a community justice model, balanced and restorative justice offers a new vision of how victims, offenders, and others can be involved in the juvenile justice process. As Table 1 illustrates, this vision is best understood by examining how the model is viewed by its participants.

Balanced and restorative justice is a work in progress. No juvenile justice system is completely balanced or fully restorative. But if juvenile justice systems, including those most committed to the model, fail to meet the standards they have set for community and client involvement, it is not because the model is utopian. It is because administrators are constrained by management protocols designed to deliver services based on the treatment and retributive paradigms.

The innovation of balanced and restorative justice lies in its agenda for restructuring the juvenile justice system to make it community-focused rather than bureaucracy-driven. This agenda demands new values, clients, performance objectives, decision making processes, program priorities, staff roles, and patterns of resource allocation. As Figure 2 suggests, while most juvenile justice agencies determine intervention priorities on the basis of current staff roles and resource allocations, juvenile justice managers who adopt the balanced approach mission are committed to making their agencies and systems value- and client-driven and outcome-oriented. Decisions are based on the premise that programs are means to accomplish restorative outcomes that address community needs (see Table 2).

Table 1

The Participants in a Balanced and Restorative Juvenile Justice System

Crime Victims

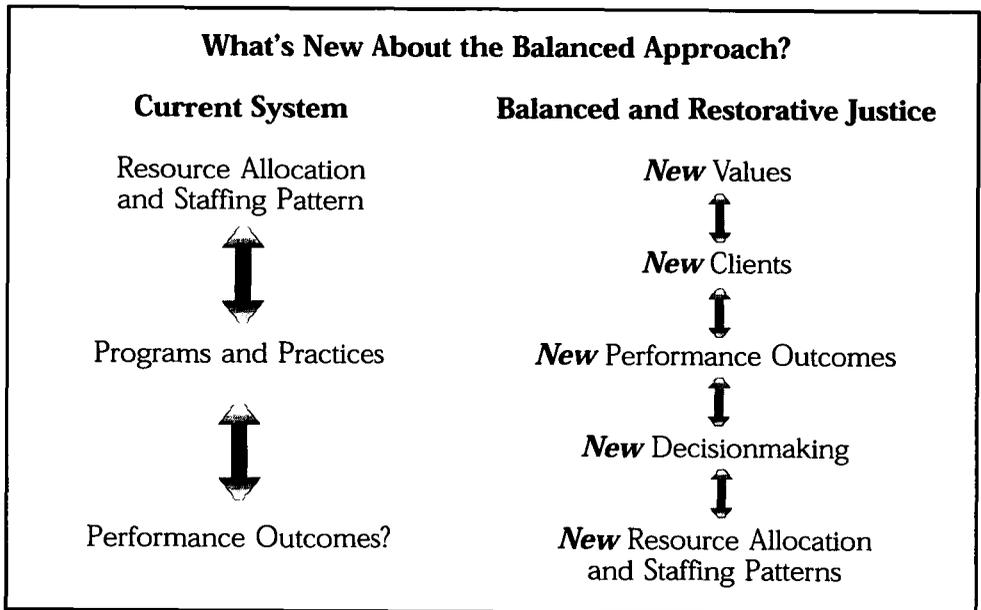
- Receive support, assistance, compensation, information, and services.
- Receive restitution or other reparation from the offender.
- Are involved and are encouraged to give input at all points in the system as to how the offender will repair the harm done.
- Have the opportunity to face the offenders and tell their story.
- Feel satisfied with the justice process.
- Provide guidance and consultation to juvenile justice professionals on planning and advisory groups.

Offenders

- Complete restitution to their victims.
- Provide meaningful service to repay the debt to their communities.
- Face the personal harm caused by their crimes by participating in victim offender mediation or other victim awareness programs.
- Complete work experience and active and productive tasks that increase skills and improve the community.
- Are monitored by community adults as well as juvenile justice providers and supervised to the greatest extent possible in the community.
- Improve decision making skills and have opportunities to help others.

Citizens, Families, and Community Groups

- Are involved to the greatest extent possible in rehabilitation, community safety initiatives, and holding offenders accountable.
- Work with offenders on local community service projects.
- Provide support to victims.
- Provide support of offender's as mentors, employers, and advocates.
- Provide work for offenders to pay restitution to victims and service opportunities that allow offenders to make meaningful contributions to the quality of community life.
- Assist families to support the offender in obligation to repair the harm and increase competencies.
- Advise courts and corrections and play an active role in disposition.

Figure 2

From a community justice perspective, the value of a program and the quality of its implementation is gauged in large measure by the extent to which it involves community members at all levels of implementation.

Citizen Involvement and Client Focus

In the total quality management (TQM) movements,^{vii} the concept of a client involves three components: a recipient of service, a target of intervention and change, and a co-participant who must have input into the process and be involved to the greatest extent possible in decisionmaking.

The input of each client group is needed to stimulate and maintain community involvement. Currently few citizens are involved at significant levels in juvenile justice because they are seldom asked. Although many professionals would welcome community involvement and may work hard at collaboration and service brokerage, such efforts often fail to include employers, clergy, civic leaders, and neighborhood residents. Too often, juvenile justice agencies are unable to find appropriate roles for community members who are not social service professionals or time to support their efforts. Short-term involvement is often uninteresting because it is not linked to interventions that achieve significant outcomes for offenders or victims. When citizens are asked to participate, it is often on the basis of civic duty rather than personal commitment. As Braithwaite and Mugford observe, citizens are more willing to become involved if they have a personal interest in the offender, victim, or the family.^{viii}

Crimes typically evoke a community of concern for the victim, the offender, families and friends, and interested citizens and community groups. As the

Table 2

**Outcome Measures and Priorities for Practice in the Balanced Approach
Competency Development
Intermediate Outcome**

Measures

- Proportion of youth on supervision completing successful work experience or employment (quality of experience?).
- Proportion of youth on supervision completing meaningful work/service project.
- Extent of bonding between youth under supervision and community adults.
- Increase in empathy and improvement in skills.
- Demonstrated improvement in conflict resolution and anger management.
- Measured increase in educational, interpersonal, citizenship, and other competencies.

Priorities for Practice

- Structured work experience and employment programs.
- Service/active learning.
- Cognitive and decisionmaking programs
- Dispute resolution training.
- Intergenerational projects.
- Cross-age tutoring.
- Conservation and environmental awareness.

**Accountability
Intermediate Outcome**

Measures

- Proportion of offenders completing fair and appropriate restitution orders or agreements.
- Proportion of victims given input into the process.
- Proportion of victims satisfied with the process.
- Proportion of offenders showing measured increase in victim awareness and empathy.
- Proportion of offenders and victims completing mediation or other resolution and community service.
- Proportion of offenders completing meaningful community service projects (number of such projects completed).

Priorities for Practice

- Restitution to victims.
- Restorative community service.
- Victim offender mediation.
- Direct service to victims or surrogate victims.
- Victim awareness panels or victim offender groups in treatment programs.

**Public Safety
Intermediate Outcome**

Measures

- Proportion of offenders reoffending while under juvenile justice supervision.
- Number of citizens involved in preventive and monitoring activities.
- Decrease in community fear and increase in understanding of juvenile justice.
- Increase in competency, empathy, and internal controls for offenders under supervision.

Priorities for Practice

- Structuring time of offenders being supervised in the community: work experience, community service, and alternative education.
- Effective use of natural surveillance and community guardians such as employers, relatives, churches, and mentors.
- Continuum of graduated community-based sanctions and surveillance.
- Prevention and capacity building in schools and other community groups.

New Zealand experiment with family group conferencing illustrates, these personal communities can be a primary resource in resolving youth crimes. It is around such micro-communities that citizen participation in justice decisionmaking is being built.^{iv}

BRJ practices and programs invite a high level of citizen participation. Community involvement is never easy, but it is satisfying for citizens to help young offenders make restitution to their victims.

The more active roles for offenders, victims, and community in the juvenile justice process, noted in Table 1, have implications for the roles of juvenile justice professionals. The most important and difficult challenge in moving toward balanced and restorative justice will be to alter the job descriptions and professional orientations of juvenile justice staff. For those accustomed to working with offenders individually or in programs and facilities, the role change implied by the need to engage victims and communities may be dramatic. Essentially, this change may be best understood as moving from direct service provider or service broker to community justice facilitator.^v

As Table 3 suggests, the new roles involve juvenile justice professionals in

Table 3

New Roles in the Balanced and Restorative Justice Model	
The Co-participants	
Victim	Active participant in defining the harm of the crime and shaping the obligations placed on the offender.
Community	Responsible for supporting and assisting victims, holding offenders accountable, and ensuring opportunities for offenders to make amends.
Juvenile Justice Professional	
Sanctioning	Facilitate mediation, ensure restoration, develop creative or restorative community service options, engage community members, and educate the community on its role.
Rehabilitation	Develop new roles for young offenders that allow them to practice and demonstrate competency, assess and build on youth and community strengths, and develop community partnerships.
Public Safety	Develop incentives and consequences to ensure offender compliance with supervision objectives, help school and family control and maintain offenders in the community, and develop prevention capacity of local organizations.

activities with each of the three justice clients. These activities include a variety of efforts to enhance preventive capacity and to help adults provide offenders with opportunities for competency development.

Getting There

Some may say this [movement toward restorative justice] is Utopian. While this may be true, in a climate of failure and irrational extremism in the response to juvenile crime, there may be nothing so practical as a good Utopia.

Lode Walgrave

Robert Fulcrum tells the story of a reporter visiting the cathedral in Chartres, France, during the cathedral's construction. Hoping to get a sense of how those working on this magnificent structure understood and experienced their contribution to its completion, the reporter began asking several workmen about their jobs. The first, a stonecutter, said that his job was simply to cut the stone into square blocks for someone else to use in the foundation; the job was monotonous, and he had been doing the same thing day in and day out. Next, the reporter asked a workman who was painting stone blocks on the front of the building about his job. "I just paint these blocks and nothing more," he said. "There is not much to it." Frustrated that these workmen had little to say about the significance of working on this historical effort, the reporter moved to another part of the building and approached a man carefully cutting stained glass windows. Surely, this man felt that his work was the artistic opportunity of a lifetime. Once again the reporter was disappointed; the man said that he was very tired and somewhat bored with his task. Finally, as he walked out of the cathedral in despair, the reporter passed an elderly woman stooped and working rapidly to clean up the debris left from the stone and glasscutters, painters, and other artisans. He asked what it was that she was doing. Her answer was that she was building the most magnificent cathedral in the history of the world to the glory of God.

As this story illustrates, the key to progress toward restorative justice is viewing small steps as the building blocks of a more effective juvenile justice system.

Will balanced and restorative justice work? BRJ is not a treatment program but a model for system reform. It cannot be assessed by using traditional program evaluation technologies. The success of a restorative justice system should be measured not only by recidivism but also by victim satisfaction, offender accountability, competency development, and public safety.^{x1} The success of BRJ will depend on the consistency and integrity of implementation, how well its core philosophy is understood, how effectively it is adapted to local conditions, and whether restorative justice is given a chance. Although restorative justice may not lead to immediate reductions in recidivism, the standard of comparison should be the current system. As a First Nations Community Justice Coordinator in Yukon, Canada, reminds us:

So we make mistakes. Can you—the current system—say you don't make mistakes?...If you don't think you do, walk through our community. Every family will have something to teach you....By getting involved, by all of us taking responsibility, it is not that we won't make mistakes, we would be doing it together, as a community instead of having it done to us...We need to make real differences in the way people act and the way we treat others...Only if we empower them and support them can they break out of this trap.^{xii}

It is the failure of current paradigms that has moved some policymakers toward radical measures to abolish the juvenile justice system. Those who wish to preserve it see balanced and restorative justice as a means to do so by crafting a new system in which juvenile justice reflects community justice.

END NOTES

ⁱ For commentary on closed-system approaches to community corrections, see J. Byrne, "Reintegrating the Concept of Community in Community Corrections." *Crime and Delinquency* 35 (1989):471-499; see also A.J. Reiss and M. Tonry, "Why Are Communities Important in Understanding Crime?" *Communities and Crime* (Chicago: University of Chicago Press, 1986). Like treatment, punishment will remain an essential component of any juvenile justice system. However, punitive measures focused primarily on incarceration represent only one limited approach to meeting community needs to sanction crime. For commentary on more educative and expressive approaches to setting tolerance limits for crime, see J. Braithwaite, *Crime, Shame and Reintegration* (Cambridge, England: Cambridge University Press, 1989); L. Wilkins, *Punishment, Crime and Market Forces* (Brookfield, VT: Dartmouth Publishing Company, 1998); G. Bazemore and M. Umbreit, "Rethinking the Sanctioning Function in Juvenile Court: Retributive or Restorative Responses to Youth Crime," *Crime and Delinquency* 41 (1995): 296-316. The counterdeterrent effects of retributive punishment, including stigmatization, weakening bonds, and conventional peer and adult relations, are also well documented. Finally, empirical evidence that criminal justice decision-makers typically overestimate the perceived punitive effects of incarceration is provided in M. Crouch, "Is Incarceration Really Worse? Analysis of Offenders' Preferences for Prison Over Probation," *Justice Quarterly* 10 (1993): 67-88.

ⁱⁱ The critique of the individual treatment model presented here is not premised on the largely discredited "nothing works" perspective, nor do we question the need for an effective rehabilitative model for juvenile justice. Rather, our criticisms of traditional counseling-based treatment are based primarily upon the very limited context of intervention in most treatment programs and on the deficit assumptions about offenders on which most of these programs are based. A more comprehensive agenda for rehabilitation

and reintegration would focus more on relationship building and the development of roles for delinquent youth that allow them to demonstrate competency while forming bonds with conventional peers and adults. A competency development component of such a reintegrative and restorative agenda is outlined in G. Bazemore and P. Cruise, "Reinventing Rehabilitation: Exploring a Competency Development Model for Juvenile Justice Intervention," *Perspectives* 19 (1995):4; and G. Bazemore and C. Terry, "Developing Delinquent Youth: A Reintegrative Model for Rehabilitation and a New Role for the Juvenile Justice System," *Child Welfare* (forthcoming).

ⁱⁱⁱ Balanced and Restorative Justice (BRJ) is also the title of a national action research project funded through the Technical Assistance and Training Prevention division of the Office of Juvenile Justice and Delinquency Prevention. This project provides national training and information dissemination as well as support and assistance to demonstration projects currently implementing BRJ.

^{iv} H. Zehr, *Changing Lenses: A New Focus for Crime and Justice* (Scottsdale, PA: Herald Press, 1990).

^v In a balanced system, programs and practices aimed at repairing harm to victims should, as Troy Armstrong has phrased it, "resonate with" practices aimed at rehabilitative and public safety objectives. Specifically, holding offenders accountable is a first step in the rehabilitative process. Developing capacities for competent behavior in offenders increases community safety by increasing connectedness and concern for others as well as life skills. Enhanced community safety is often necessary to carry out meaningful community sanctioning, offender reintegration, and victim support and restoration. For a detailed discussion of the balanced approach mission, see D. Maloney and G. Bazemore, "Rehabilitating Community Service: Toward Restorative Service in a Balanced Justice System," *Federal Probation* (1994); G. Bazemore, "On Mission Statements and Reform in Juvenile Justice: The Case of the Balanced Approach," *Federal Probation* (1992); G. Bazemore and c. Washington, "Charting the Future of the Juvenile Justice System: Reinventing Mission and Management," *Spectrum: The Journal of State Government* (1995). Table 2 of this paper provides a general summary of how performance objectives on each goal can be measured.

^{vi} F.W.M. McElrae, "Restorative Justice—The New Zealand Youth Court: A Model for Development in Other Courts?" *Journal of Judicial Administration* 4 (1994), Australian Institute of Judicial Administration, Melbourne, Australia.

^{vii} W.E. Deming, *Out of Crisis* (Cambridge, MA: MIT Center for Advanced Engineering, 1986); L. Martin, *Total quality Management in Organizations* (Newbury Park, CA: Sage, 1993).

viii J. Braithewaite and s. Mugford, "Conditions of Successful Reintegration Ceremonies: Dealing with Juvenile Offenders," *British Journal of Criminology* (1995): 34. The authors give examples of how relatives, friends, and acquaintances of young offenders, victims, and their families become vital resources in restoring and meeting the needs of crime victims while also helping offenders when asked to participate in family group conferences.

ix For a more detailed description of the New Zealand and Australian models of family group conferencing, including research findings and critical concerns about implementation, see g. Maxwell and A. Morris, *Family, Victims, and Culture: Youth Justice in New Zealand* (Wellington, New Zealand: Social Policy Agency and Victoria University, Institute of Criminology, 1993); c. Alder and J. Wundersitz, *Family Group Conferencing: The Way Forward or Misplaced Optimism?* (Canberra, Australia: Australian Institute of Criminology, 1994); M. Umbreit and S. Stacy, "Family Group conferencing comes to the U.S.: A Comparison With Victim Offender Mediation," *Juvenile and Family Court Journal* (forthcoming).

x The transformation from service provider to the facilitator role is used to describe changes in probation services in the Vermont Department of Corrections' restructuring of the State's probation system through Community Reparative Boards.

xi Answering the question "Does it work?" in a restorative community justice framework must give consideration to improvements in the capacity of community groups and citizens to prevent, sanction, and control crime. For example, the development of community support groups of non-professional citizens is generally not viewed as a success outcome, but such measures may be a more critical gauge of long-term community safety than reductions in recidivism of offenders in treatment programs.

xii Rose Couch, Community Justice Coordinator, Quanlin Dun First Nations, Yukon, Canada. As quoted in B. Stuart, "Sentencing Circles: Making 'Real Differences,' monograph, Territorial Court of Yukon, Whitehorse, Yukon, Canada.

MOBILIZING THE COMMUNITY

Adapted From *Restoring Hope Through Community Partnerships: The Real Deal In Crime Control*¹

"Partnership" is meant not only as cooperation and sharing information, but also mutual goals involving community safety and offender adjustment.

Todd R. Clear and Ronald P. Corbett, Jr. (1997, p. 77)

GUIDING PRINCIPLES

The following guiding principles for involving the community in criminal and juvenile justice programming were revealed through an extensive literature review and in-depth discussions with criminal and juvenile justice practitioners who have successfully involved the community in their mission. It is recommended that these principles serve as the foundation for future program development and operations.

- *Principle 1: Crime Is A Community Problem.* Statistics and theoretical foundations offer compelling arguments for making public education and citizen participation a priority in criminal and juvenile justice. Very little progress will be realized until criminal and juvenile justice personnel and community members alike recognize the community's role in promoting and controlling crime.
- *Principle 2: Informal Social Controls Are The Most Effective Method of Reducing Crime.* By its very nature, the criminal justice system is limited in its ability to reduce crime; it is designed to respond after the fact. These legal boundaries place the responsibility for prevention with citizens who, through the exertion of informal social controls, are most effective in reducing crime. Applied research and program experience confirm this common sense approach to effective crime prevention and control.
- *Principle 3: Community Involvement Should Be Encouraged To The Maximum Extent Possible.* Citizen ownership over the problems and solutions related to crime is in the best interests of offenders, criminal and juvenile justice agencies, and communities. This sense of ownership increases as people have more input. Therefore, citizen participation should not be limited to a single task or purpose, but rather it should be sought during the developmental stages and when ideas are needed on program and procedural improvements.
- *Principle 4: Networking And Collaboration Are Necessary To Have Significant Impact On Crime And Maximize Agency Operations.* A unified and cohesive approach among criminal and juvenile justice agencies, other

¹ Fulton, B.A. (1996). *Restoring hope through community partnerships: the real deal in crime control*. Lexington, KY: American Probation and Parole Association.

community service providers and citizens results in the efficient use of limited resources and their possible expansion. This translates into increased opportunities for successful offender reintegration and enhanced social controls.

GOALS OF COMMUNITY ORGANIZING

Criminal and juvenile justice goals for involving the community may target specific organizational needs such as enhancing public relations or recruiting mentors for offenders. Here, the broader goals of community organizing are addressed. They include (Rubin and Rubin, 1986; National Crime Prevention Council [NCPC], 1986, 1988)

- bringing people together to resolve shared problems,
- teaching people to overcome the sense of powerlessness that individuals often feel about fighting big problems,
- enhancing power through collective action, and
- developing the community's capacity to solve problems systematically through a proactive planned approach.

There is definitely strength in numbers. Acting collectively produces a synergistic effect — groups can accomplish what individuals struggle to achieve. Community organizing links the skills and resources of citizens and compels them into action toward improving the quality of life. In a nutshell, community organization “can get something done about an immediate problem, build a base for dealing with future problems, gain new resources for action, and increase or sustain the community's social and economic health” (NCPC, 1994a, p. 1).

Community Empowerment

Implicit in the goals of community organizing is the concept of community empowerment — the sense that people who live and work in the community can and do control its destiny (NCPC, 1986b). A broad definition of community empowerment proposes that people gain control in their own lives by working with others to change their social and political realities (Wallerstein, 1993). The Social Development Research Group (1990) suggests that three conditions are necessary to empower communities

1. opportunities must exist to be involved,
2. participants must have the skills for successful involvement, and
3. participants/groups must receive recognition and rewards for their involvement and accomplishments.

By sharing their knowledge, expertise and time, criminal and juvenile justice practitioners can meet these conditions and empower citizens to increase the safety of their communities. Simultaneously, criminal and juvenile justice can increase the likelihood of achieving key organizational goals.

Targets Of Community Organizing **People versus Places**

A key goal of community organizing is to help people overcome the powerlessness they may feel when facing a personal, social, or political problem. Powerlessness has both subjective and objective dimensions: subjectively, people may feel alienated from the world in which they live or influenced by external controls; and objectively, people may lack economic and political power (Wallerstein, 1993). Many empowerment tactics target one dimension or the other. Either they

- target individuals/groups through programs designed to increase self-esteem, employability or education; or they
- target places through such programs as economic development and improved housing conditions.

To successfully empower communities and build their capacity to resolve problems, an integrated, multiple-objective approach is necessary—both dimensions must be targeted for change because the problems themselves are interdependent and mutually reinforcing (Fordham, 1993). For example, in criminal and juvenile justice the focus is primarily on treating individual offenders by requiring them to participate in drug treatment or employment/education programs. When trying to apply these newly developed skills, offenders are often faced with a limited job market and drug infested neighborhoods. This leads to frustration and contributes to failure. A more effective approach would be to simultaneously work with communities and businesses to develop job opportunities or to organize an anti-drug campaign.

Certainly, community safety represents a common concern for citizens to rally around. But there are many diverse perceptions as to the causes of crime and what actions will make people feel safer. These perceptions will influence citizen's motivation for becoming involved in specific crime prevention and crime control activities. Criminal and juvenile justice personnel involved in community organizing must fight the urge to push their ideas, needs and priorities on citizens and community groups.

In order to motivate collective action, the community organizer must try to get people involved in solving those problems of most interest to community members. Then, gradually, as successes occur, the organizer can approach other issues and build successes in those areas as well (Rubin and Rubin, 1986, p. 32).

This strategy may necessitate a focus on activities which seem outside the scope of crime prevention and crime control such as paint-outs to rid neighborhoods of graffiti, sex education to reduce teen pregnancy, or improvements in the lighting of neighborhood streets. By tapping into connections with government entities and social services, criminal and juvenile justice agencies and personnel can assist communities in addressing such needs. By-products will be an improved quality of life and increased community cohesion, both of which contribute to a reduction in fear, an

increase in informal crime controls, and an opportunity to build trust between the community and the criminal and juvenile justice agency.

Tactics Of Mobilization

The process of community organizing is just as important as the substance. In *Community Organizing and Development*, Rubin and Rubin (1986) discuss three basic tactics for mobilizing communities: 1) Use and enhance existing community structures, 2) persuade individuals, and 3) build commitment.

Use And Enhance Existing Community Structures

This mobilization tactic involves four key components:

1. *Working with ongoing organizations.* Bringing together organizations with similar interests is a quick way to organize a community around a particular issue or activity. Many diverse organizations share common interests and could be targeted for participation. For example, a criminal and juvenile justice agency concerned about the high level of drug abuse among their offender population could target drug and alcohol treatment agencies, alcohol or narcotic anonymous groups, police, anti-drug coalitions, DARE programs, schools, churches, and recovering offenders from the community. The key is to focus on the shared interests of these groups (i.e., the community drug problem) and integrate differences. This strategy is beneficial in that it aligns a new community organization with other respected and accepted community organizations.
2. *Developing a network.* Because these groups are already concerned and informed about the issue, an organizer does not have to persuade people. The focus is on developing networks and solidarity, linking skills and resources, and increasing communication.
3. *Finding local leaders.* The benefits of this strategy are two-fold. First, the opinions of acknowledged community leaders — both formal and informal — generally provide an indication of community sentiment giving community organizers a head start on assessing community needs and positions. Second, local leaders are instrumental in mobilizing others into action. The success of this strategy, however, is dependent on the community organizer recognizing the difference between “acknowledged” and “appointed” leaders (NCPC, 1986a). Acknowledged leaders are community members who have earned the respect of community residents. Appointed leaders are persons whose leadership is politically decided or determined by official employment. Acknowledged leaders may also be appointed leaders, but not all appointed leaders are acknowledged by the community.
4. *Creating community integration* to increase the willingness of other community members to participate, community organizers, through the network of organizations and leaders, must disseminate information and build a community identity (e.g., through community newsletters or special events).

Persuade individuals

Persuasion, as referred to by Rubin and Rubin (1986, p. 143) “does not mean changing peoples’ views, it means helping people realize that the community organization will satisfy their wants and needs.” Rubin and Rubin suggest three basic requirements for effective persuasion:

1. *Learn what people think about community problems and then persuade them to take actions to satisfy their own convictions.* This requires meeting people, networking, and, above all, listening.
2. *Concentrate on how participation can satisfy individualized needs.* People want to feel that they get something out of their efforts and that they contribute to the organization or cause.
3. *Search for the personal incentives that will lure individuals into group actions. Organizing is done with people, not saints.* Incentives can come in the form of material incentives (i.e., goods or services with economic value); solidarity incentives (e.g., socializing, sense of group membership); and expressive incentives (i.e., the opportunity to express values/beliefs).

Build Commitment Through “Bootstrapping”

In order to sustain interest and motivation individuals, must receive constant reinforcement or rewards. “Bootstrapping” refers to beginning with small projects that are likely to succeed and building on this sense of achievement to encourage additional collective action on larger issues. “Nothing encourages participation better than being on a winning team” (Rubin and Rubin, 1986, p. 154).

By incorporating these tactics into efforts at increasing citizen participation in crime prevention and crime control programs and activities, criminal and juvenile justice agencies can increase their chances for a positive and successful experience with community organizing.

Trust And Cultural Sensitivity

Trust and cultural sensitivity are essential ingredients for effective community organizing regardless of chosen target or tactic. The following tips were adapted from suggestions offered by the National Crime Prevention Council (1986a) for earning trust and developing a sensitivity to cultural differences.

- Do your homework by reading about the community’s culture to learn as much as possible about the cultural history.
- Learn some non-verbal actions and signals basic to the culture.
- Understand the community’s perceptions of its crime problems and law enforcement.
- Start by working with the community’s acknowledged leaders.
- Work through agencies that have already gained trust.
- Stay out of the community’s politics.
- Do not duplicate existing efforts, especially those offered by a trusted and proven program.

- Focus attention on the community's other concerns while also addressing the problems of crime.
- Deliver on promises made.
- Give credit to all who contribute.

Corrections, criminal, and juvenile justice agencies are often perceived as having a law enforcement function alone and, therefore, generate a certain amount of distrust, especially among high crime, urban communities. A slow and steady pace that allows time for building trust will lead to the desired outcomes far sooner than a hastened, forced agenda.

Organizer's Roles And Skills

Rubin and Rubin (1986) outline four roles that community organizers must play to mobilize the community into action: teacher, catalyst, facilitator, and link.

1. *Organizers as Teachers* — A primary goal of community involvement is to build a community's capacity to solve their own problems. Community organizers can teach problem-solving skills by providing specific instruction, by sharing information, and, most importantly, by modeling the behavior or activity.
2. *Organizers as Catalysts* — It is unlikely that any one person has the skills and knowledge required to solve a community problem alone. Therefore, it is important for community organizers to be able to identify skills in community members and motivate them to contribute those skills to the betterment of the community. One of the organizers most important responsibilities is to promote a spirit of teamwork, a sense of community, and a "can do" attitude.
3. *Organizers as Facilitators* — Organizers facilitate project and task completion by providing participants with information and performing routine organizational tasks such as meeting preparation, record keeping and information dissemination. Basically, as facilitators, organizers ensure follow-through on projects and tasks, and keep people moving toward goal achievement.
4. *Organizers as Links* — A community organizer links people with information, individuals and groups with common interests and concerns, and communities with problem-solving skills and resources.

As long as each of these four roles is represented among the planning team or other community participants, an organizer's role preference should not be problematic. It is essential for a community organizer to recognize his/her personal strengths and weaknesses and to seek the participation of individuals with complimentary strengths and skills.

Archer, Kelly and Bisch (1984, p. 57) list several skills and personal characteristics of effective community organizers. They include:

- a working knowledge of community organization theory and process,
- good planning and assessment skills,
- knowledge of the community in which organization is taking place,

- awareness of the power structure and the transfer of power in the community,
- credibility within the community,
- dedication to an idea or goal,
- trust in others and in their abilities,
- the ability to share responsibility,
- good communication skills,
- leadership qualities,
- belief in the democratic process,
- flexibility to be able to react to the situation and respond appropriately,
- time-management skills to realistically obtain objectives in reasonable time, acknowledging the constraints and resources available,
- acceptance that the community, not the individual, is the client,
- research skills,
- a sense of humor, and
- patience.

Reviewing these roles and skills, it is striking how similar they are to those required of effective probation and parole officers. Many of the skills applicable to criminal and juvenile justice can be put to good use in community organizing.

Community Involvement Participants

Public safety is a concern to everyone and all community residents can have an impact on the level and type of informal social controls which influence crime. The desire for a high level of involvement must be balanced with several considerations. Consider the following tips when determining who to involve in your program or project.

- *If you recruit them, use them.* In order to sustain interest and involvement and to build trust and credibility, people must feel as if they are making an important contribution to the program or project.
- *Carefully match skills and interests of participants with projects, developmental stages and tasks.* The steps that lead to a project's completion cannot be carried out without technical knowledge or expertise (Rubin and Rubin, 1986). A community organizer must identify the specific skills needed to successfully complete the project, determine what stage those skills are needed, and know where to find them.
- *Participants should be representative of the community at each stage of program development and implementation.* The number of people involved in the project may vary from one developmental stage to another. Each stage must include a diverse spectrum of individuals that will represent the needs and concerns of all community residents.

- *Every member of the community has talents to offer.* Although there is a need for special talents, individual contributions from children, teens and adults are equally important.

Special Contributions of Youth and Senior Citizens

There are two populations within our communities that tend to get left out of decision making: youth and senior citizens. Both of these populations are victimized at a higher rate than other populations. They are also less mobile and more likely to stay in a neighborhood despite crime-related problems. For these reasons, youth and senior citizens may have more of a stake in crime prevention activities.

Teens have an abundance of energy and enthusiasm to lend to a community effort. Their need for commitment and recognition (NCPC, 1989) can be met through involvement in local crime prevention activities. Youth, in turn, can offer creative solutions to community problems and impact the behavior of their peers and younger children in ways that adults cannot. Youth are also influential in fundraising efforts.

Early involvement in community organizations affects the future of the community by teaching youth skills and developing a stake in the community. A 1992 Gallup Survey on volunteering found that youth who volunteered, observed a family member volunteer, or were helped by a volunteer were more likely to volunteer as an adult (Independent Sector, 1992). NCPC (1989) offers several tips for involving youth, including:

- strike an appropriate balance of adult-teen power by teaching and guiding throughout the project while offering youth opportunities to make their own decisions,
- address teen concerns,
- build on teens' need for friendship, and
- move to action as quickly as possible.

Schools and boys and girls clubs are good resources for youth volunteers and for teachers willing to guide the youth through planning and implementation. Youth can perform many functions. They can participate in neighborhood clean up campaigns, distribute flyers, develop recreational opportunities, and organize and conduct fundraising events such as bake sales and car washes.

Senior citizens also have much to offer community organizations. A study on the use of volunteers in police agencies indicated the following benefits of using older volunteers:

- stability, reliability, dependability of workers;
- experience and knowledge,
- wisdom, maturity and leadership,
- ability to positively effect moral and enthusiasm,
- better work ethic than younger workers,

- calming influence on the rest of the staff, and
- ability to relate well to community (American Association of Retired Person, 1994).

It is important for older citizens to feel involved in their community and to stay active. Senior citizens have years of experience to offer a community organization. Retired seniors often have the time to volunteer, making them a valuable resource since time is a primary barrier to volunteerism (Independent Sector, 1992). Like youth, senior citizens should not be overlooked when recruiting willing participants for important community projects.

A Role for Offenders

A primary objective of criminal and juvenile justice is to assist offenders in becoming productive, law-abiding citizens. One way to accomplish this objective is to provide ways for offenders to develop a stake in the community. Involving them in community projects and crime prevention programs offers an excellent opportunity to

- become involved in positive activities within the community,
- learn how their criminal behavior impacts other community residents, and
- restore the community for damage caused by their criminal behavior.

Often, offenders are leaders within their neighborhood—unfortunately, leaders of negative, anti-social behavior. If this leadership ability can be nurtured through positive activities, offenders can learn something about themselves and their abilities and possibly steer troubled youth away from drugs and crime. Offenders also can perform community service for the good of the neighborhood and provide insight into what services or activities may help to reduce neighborhood crime. By working together on neighborhood issues, criminal and juvenile justice practitioners, residents and offenders can develop a new understanding and respect for one another.

Where to Look

The best place to start identifying willing, experienced and skilled participants for community projects is in existing organizations and clubs. Figure 1 on the next page lists the various community entities to tap for certain skills and resources.

THE VALUE OF PLANNING

“Planning is a collaborative, orderly and cyclic process to attain a mutually agreed-upon desired future, or goal” (Archer et al., 1984, pp. 21-22). According to Rubin and Rubin (1986, pp. 310-311) “planning:

- increases the range of problems and alternatives examined,
- links goals to specific objectives and tasks, and
- guides day-to-day activities.”

Figure 1

KEY ACTORS

Community Entity

Government Officials and Agencies

Mayors and Other Local Chief
 Executives
 Council Members and Other Local Legislators
 Law Enforcement Agencies
 Criminal Justice Officials
 Planning Agencies
 Schools
 Social Services
 Parks and Recreation Departments
 Public Housing Agencies
 Streets and Highways Departments
 Sanitation Departments
 Public Transit Agencies
 Publicly Funded Health Services
 Mental Health and Counseling Services
 Community Development Agencies

Community and Civic Organizations

United Way and Similar Agencies
 Civic Improvement Groups (e.g.,
 Kiwanis and Lions clubs; League of
 Women Voters and Urban League;
 Boy and Girl Scouts)
 Churches, Synagogues and Other
 Religiously Based Groups
 Community-Wide Topical Groups (i.e.,
 professional associations; interests
 groups)

Businesses and Business Organizations

Retail Merchants
 Manufacturers
 Service Industries
 Landlords and Other Real Estate Owners
 Newspapers, Radio, Television
 Business Organizations

Neighborhood and Social Groups

Neighborhood Watch Groups
 Mothers Clubs
 Neighborhood Associations
 Fraternal clubs
 Sports groups
 Fellowship
 Hobby clubs

Skills and Resources

Leadership
 In-kind resources (e.g., financial,
 human, material, services, equipment,
 meeting and activity space).
 Skills and knowledge about community
 members, resources, and local
 problems
 Technical skills and substantive
 knowledge
 Control, or input, regarding the
 allocation of funds
 Capacity to make and enforce laws and
 regulations.
 Community networks

Expertise and special focus
 Experience in community organizing
 (e.g., identifying needs, soliciting
 participation, fund raising)
 Grassroots nature
 Volunteer networks; pool of public-
 spirited activists
 Positive social forces
 Support networks for children, families
 Special programs and services

Goods and services
 Business skills
 Technical skills
 Jobs

Immediate access to residents
 Knowledge of community, residents,
 resources and problems
 Grassroots nature
 Voting power

Adapted from: NCPC, 1994b

Effective planning for community involvement requires essentially the same steps and skills required for the case planning and supervision of offenders:

- Needs are assessed.
- Problems are prioritized.
- Goals are agreed upon.
- Strategies are examined.
- Resources are identified.
- Actions are determined.
- Responsibilities are assigned.
- Progress is monitored.
- Plans are modified as needed.

The purpose of joint case planning with offenders is to promote offenders' buy-in and to gain commitment to the plan. Likewise, planning community projects develops a collaborative spirit and work style that will contribute to the success of the program or project (NCPC, 1994b).

Planning enhances the quality of community projects. It should not be underrated or short circuited. Time spent up-front on planning will save time and money in the long-term.

The Importance of a Planning Team

Agencies initiating community involvement activities should formulate a planning team of community representatives to provide a base of information and support. The planning team should encompass individuals with knowledge of the community and a personal investment in improving its safety. (See Figure 2)

Community organizers may want to first formulate a team of four-five individuals to assist with initial activities such as assessing community needs, and then expand the group to eight-ten members when specific needs have been identified and goals have been established.

Figure 2

Developing A Planning Team

1. What is the scope and purpose of the program?
2. What skills are needed and who could contribute these skills?
3. Who is knowledgeable about the community?
4. Who will be affected by the program?
5. What public policies or procedures will be affected?
6. Who might hinder program progress if not invited to help in the design?
7. Who could contribute leadership?
8. Who are the key individuals and institutions that can effect change as it relates to the identified problem?

Adapted from: Police Executive Research Forum and NCPC, 1994.

Members of the planning team should possess specific skills, knowledge, and expertise that will contribute to the program's success. Some of the universal skills needed in community involvement projects include:

- needs assessment skills to identify community needs and concerns;
- group facilitation and presentation skills to lead public forums, group discussions, planning sessions;
- supervisory skills to coach, monitor and reward participants;
- interpersonal skills to communicate with community groups and residents, government entities, and businesses;
- writing skills to develop brochures, news releases, and reports for community dissemination;
- training/teaching skills to train volunteers and community residents on project activities;
- administrative skills to plan, budget and evaluate, and
- fundraising skills to generate and secure resources.

Planning teams offer many benefits in addition to providing a base of information and support. They provide the continuity and structure needed to carry out the plan; build leadership and commitment by inviting input and involvement, and promote a team approach to community problem solving.

Value Of Needs Assessments

The importance of conducting a comprehensive and accurate community needs assessment prior to initiating community involvement programs and activities cannot be understated. It serves as the foundation for future planning and implementation.

Needs assessments:

- document, prioritize, and clarify existing crime-related problems;
- identify residents' perceptions about the crime and the criminal justice system,
- provide an excellent means of involving the community in problem identification,
- provide information to the public about crime-related problems,
- provide baseline data for future program evaluation,
- provide initial direction for developing a workplan, and
- assist in setting program goals, strategies and objectives (Police Executive Research Forum and NCPC, 1994).

Remember, action must reflect the community's concerns and perceptions regarding the causes of the problem. Hence, objectivity and accuracy are essential to the needs assessment process.

Two types of information must be collected:

1. information that describes the community and its circumstances, and
2. the “felt needs” of community members (Rubin and Rubin, 1986).

Knowledge about the community will increase the credibility of community organizers and prepare them for answering questions and searching for solutions to community problems. It will provide them information about existing circumstances that may be contributing to the problem — in this case, crime — and community resources available to address the problem. Typically, this information is gathered from available data maintained by local governmental offices or other social service agencies.

Identifying “felt needs” is equally important as it supplements and clarifies information. Furthermore, perception, more than reality, spurs people into action. Gathering the information suggested above will assist in educating residents and assuaging any unfounded fears. Still, it is important to listen to citizens regarding their thoughts on the causes and solutions to crime in their community. “Felt needs” that may be of particular interest to criminal and juvenile justice practitioners and agencies may include

- crime victimization experiences;
- observations of drug dealing, crime, and disorder;
- perceptions of neighborhood conditions and quality of life, fear of crime;
- experiences with police;
- attitudes toward police and other government agencies;
- attitudes toward offenders;
- attitudes toward probation/parole;
- priorities given to various community problems;
- participation in various community activities; and
- perceptions regarding problems and solutions to crime (adapted from Police Executive Research Forum and NCPC, 1994).

Data Gathering Techniques For Identifying Felt Needs

Mailed, in-person, and telephone surveys are effective means for identifying felt needs. The primary advantage of community surveys is that the results are more representative of typical community members. Focus groups and public forums offer effective means of gathering more in-depth information, but tend to target or attract a narrower group of community representatives. Each data gathering technique offers specific advantages and disadvantages. The type of information being requested, skills of community organizers, and time and resources available for the needs assessment process should drive the selection of a data gathering technique. It may be desirable to combine techniques.

Surveys

Survey construction has an impact on response rates and the utility of the information collected. The following steps, as outlined by Sudman and Bradburn (1983), are suggested for preparing surveys.

- Decide what information is needed using clearly formulated research objectives.
- Draft questions precisely. Wording is imperative to ensure accurate and valid answers.
- Put the questions in sequence.
- Format the survey to be user-friendly, uncrowded, and having sufficient space for answers. Use large and clear type and have questions numbered clearly.
- Precode survey to facilitate data entry (e.g., 1= strongly disagree; 2= disagree; 3 =agree; and 4 =strongly agree).
- Prepare simple instructions for the survey. A one page informative and instructional letter should be prepared and attached to the front of the survey.
- Obtain a peer evaluation of the survey to document clarity, inclusion, redundancies and recommendations for improvement.
- Pilot test the survey on a small sample of respondents and develop final survey based on feedback (Sudman and Bradburn, 1983).

For additional assistance, a sample community survey form is provided in Appendix A.

Conducting Focus Groups

Focus groups are one-time, two and three hour meetings with various groups of individuals with some knowledge or experience with the problem or issue at hand. A structured question/answer format is used for gathering information. Potential questions for a focus group include

- What types(s) of crime have you personally experienced or observed?
- How is neighborhood crime impacting you and your family?
- What factors do you believe contribute to crime?
- What do you think can, or should, be done about crime in your neighborhood?
- What community resources (human, financial, service) are available to address the crime problem?
- What would you like to see as priorities for crime prevention and crime control over the next year?

Planning Public Forums

Public forums are effective means for generating enthusiasm and support for crime prevention and crime control programs. A range of individuals should be

invited to the forum to insure broad community representation. According to the Florida Chamber of Commerce (1994) participants might include

- neighborhood association representatives;
- representatives of neighborhood watch groups;
- parent and youth group representatives;
- local media representatives;
- law enforcement representatives;
- city, county, and state officials;
- school administrators, teachers, or other individuals in the school system;
- religious leaders;
- representatives of civic and service groups; and
- representatives of other nonprofit organizations.

The Florida Chamber of Commerce also suggests publicizing the meeting through inserts in local company payroll checks, fliers distributed to various civic clubs and social service agencies, and newspaper advertisements.

The Juvenile Justice and Delinquency Prevention Commissions and the Community Congress in Humboldt County, California, developed a process for facilitating town hall meetings to identify community concerns. David Lehman, Chief Probation Officer for Humboldt County Juvenile Court, suggests that the structure and organization of the meeting environment can have a significant impact on the outcome of the meeting. Lehman suggests:

- maintaining an interactive and physical closeness with participants (spatial barriers can block progress);
- using flip charts, markers and tape to record and post group's responses;
- placing chairs in a semicircle so that all participants are visible to each other;
- placing chairs for facilitators in front but not behind a table;
- ensuring that the room temperature is comfortable and that there are good acoustics;
- offering refreshments to participants; and
- providing child care to attract attendees representative of the community (Byrd, Martin and Lehman, 1995).

The style and format of the meeting will depend on group size. Organizers should be prepared to make adjustments. For groups of 20 or less, a large group discussion would be manageable using questions such as those outlined for the focus groups. For larger groups it may be advisable to break out into small groups for discussions and exercises and have a spokesperson report group findings to the larger group.

Disseminating Assessment Results

The key findings of the needs assessment process should be compiled and disseminated to assessment participants, other community members, and government and social service agencies. Key dissemination vehicles may include

- brochures,
- neighborhood and agency newsletters,
- newspaper articles,
- radio stations,
- public service announcements, and
- public forums.

The assessment activities introduced in this section can be used throughout the mobilization process as a means to conduct a “neighborhood check-up” or gather additional information and ideas. Upon conclusion of these needs assessment activities, community organizers should have a good idea of community problems and the degree of interest and motivation among community residents and groups in working to resolve these issues. The stage is set for the next phase in community mobilization.

MOVING FROM IDEAS TO ACTION

The concept of a “stream of engagement” is very important to community organizing. A primary advantage of needs assessment activities is that they generate interest and support for crime prevention and crime control activities. Organizers must maintain momentum and keep the “stream of engagement” flowing. Movement keeps people interested and builds credibility by demonstrating follow-through. This will facilitate the recruitment of volunteers needed to carry out the project(s).

The next step in community mobilization is to develop an action plan for project implementation. At this point, the original planning team may want to recruit four to five additional people with specific expertise in the identified areas of need to help with project planning. This expanded planning team should

- focus on developing an overall project plan,
- divide into committees with planning team members serving as committee chairs,
- recruit committee members,
- develop goal-specific plans with respective committee members,
- facilitate committee activities, and
- report progress to the organizer.

Elements Of A Plan

Comprehensive plans include several basic elements:

- *Goals* provide a road map to the future.

- *Objectives* operationalize goals. They should be specific, measurable, time framed and result-oriented.
- *Tasks* are specific actions taken in support of the stated goals and objectives.
- *Roles and responsibilities* specify who will carry out each task.
- *Resources* (goods, services, money and people) are needed to implement the plan. They must be identified and secured.
- *Alternative solutions* must be explored and kept in reserve. Even the most well laid out plans can encounter problems and barriers. (Rubin and Rubin, 1986; Police Executive Research Forum and NCPC, 1994).

Prioritizing Goals

A new community organization may set itself up for failure trying to tackle too many problems. The planning team should establish priorities based on the identified areas of need. The National Crime Prevention Council (1986a) suggests five ways for prioritizing goals.

- Rank according to the problem's impact on the community.
- Determine what resources are available to address which problems.
- Assess the organization's capability (i.e., the skills and abilities of participants) to address the problem.
- Determine *when* a problem should be addressed (e.g., based on urgency, sequencing).
- Rank according to the community's motivation to address the problem.

An organization's capabilities as a newly established organization should lead to a focus on achievable goals.

Planning Tools

Flow charts, comprehensive plans and action plans provide concrete ways to depict the plan. They provide a method for communicating and clarifying plans for project participants and the community

Community Action Plan

The Community Anti-Drug Coalitions of America (n.d.) suggest several advantages of written action plans.

- Action plans are critical in times of staff/volunteer turnover.
- Action plans provide a concrete tool with which to approach potential funders.
- Action plans serve as a basis for evaluating the group's accomplishments.

On the following page (Figure 3) is a sample action plan for a fundraising committee supporting the development of recreational opportunities in a neighborhood park.

Figure 3

Action Plan			
Committee: <u>Park Improvement Committee</u>			
Objective: <u>Obtain and install recreational equipment for the Neighborhood Park</u>			
Task	Person Responsible	Resources	Due Date
Identify youth 1998 interests	Bill and Sally	1) Access youth through schools and Boys Club 2) Needs assessment committee will include our questions in youth survey	December 15, January 30, 1999
Obtain support/resources from the City and Park and Recreation Division	Jennifer and Sam	Sam (works with Parks and Rec)	February 15 - March 15, 1999
Conduct fundraising campaign	Mike, Pete, and Pam	1) Pam can prepare and print flyers at work 2) Church Youth Group will assist with campaign 3) Lumber retailer has already donated \$500 worth of building materials.	April 15, 1999
Recruit volunteers to build and install equipment	Sue and Steve	1) City maintenance department will lend tools 2) Probation department will provide community service workers	

MEETINGS — THE PRIMARY VEHICLE FOR PLANNING AND ACTION

Meetings are the primary vehicle for planning and implementing community activities. As we all know, meetings can be an incredible waste of time or a productive, exhilarating experience. They can also be the difference between the success and failure of a community project. The secrets to effective meetings lie in knowing when to have a meeting, thoroughly preparing for the meeting, encouraging balanced participation and solving problems creatively during the meeting, and knowing when to end the meeting.

To Meet or Not to Meet

Meetings can produce high quality solutions to problems and increase commitment by involving people in decision making. However, they are time

consuming, and they can be excruciating when not necessary or well planned.

Adler (1986) suggests that a meeting should only be held when an organizer can answer “yes” to the following questions:

1. Is the job beyond the capacity of one person?
2. Are individual’s tasks interdependent?
3. Is there more than one decision or solution?
4. Are misunderstandings or reservations likely?

Meeting Preparation

Once the necessity of a meeting has been determined, plans must be made regarding the time, place, and substance of the meeting. The checklist on the following page can be used to guide meeting preparation.

A clear agenda, distributed to meeting participants ahead of time, is critical. The agenda should be accompanied by any background information that will be needed during the meeting. Furthermore, if advanced work (e.g., reading an article, preparing a report) needs to be completed by meeting participants, this too, should be noted on the agenda.

Additional Preparation Required

There are two key types of agenda items:

1. Information sharing items (e.g., reports, meeting notices, routine business) — these items generally do not require decisions or discussion and can be taken care of in relatively short periods of time.
2. Information processing items — these items require discussion, problem solving and decisions. The desired outcomes of these items should be clearly identified on the agenda. For example, if the agenda item is “recruiting volunteers for community clean-up,” the desired outcome or goal might be to “decide on recruitment methods and assign responsibilities.”

Rubin and Rubin (1986) offer several recommendations for arranging an agenda:

- Place some routine business, announcements or brief reports first.
- Place the important information processing items about 15-20 minutes after the start of the meeting when people tend to be most alert.
- End with noncontroversial items, such as routine business items that do not require discussion.
- Do not crowd the agenda with long, complicated items.
- Try to estimate the time needed for each item and include it on the agenda.
- Aim for a maximum of two-hour meetings.
- Leave time before and after meetings for conversation.

Conducting the Meeting

Anyone who has conducted a meeting understands that it is much more difficult than it appears. The meeting chair is responsible for eliciting parti-

icipation from all group members and for moving the group toward meeting goals. The following discussion suggests tips for meeting leadership and problem solving.

Leadership

While the community organizer and the planning team members may want to assume leadership responsibilities, initially, it may be wise to share this responsibility (e.g., through a rotation) among group members. Shared leadership promotes equality and ownership. Furthermore, it is important to cultivate leadership skills among group members working on community projects, so that they, in turn, can use these skills with other community members. Group leaders generally emerge naturally depending on the task at hand.

Adler (1986) suggests setting a constructive tone for the meeting by opening with

- statement of meeting goals,
- any necessary background information,
- a preview of how the meeting will run, and
- a reminder of time constraints.

Rubin and Rubin (1986) discuss the careful balance necessary for leaders to effectively guide groups through discussions. Effective leaders:

- contribute fresh ideas,
- initiate discussion,
- provoke original thought in others,
- critically evaluate the ideas of others,
- encourage critical thought in others,
- make agenda suggestions,
- clarify,
- summarize,
- verbalize consensus,
- regulate participation, and
- encourage others by listening.

Basically, leaders must be able to lead and guide the group without forcing their ideas on the group.

Encouraging balanced participation is perhaps the most important responsibility of a meeting leader. People must feel involved in the problem solving and decision making process. This requires that a leader tactfully interrupt members who dominate the discussion and redirect the question or discussion to the quieter members — e.g., “That is a great idea Don. I would like to hear how that suggestion works for others. Any thoughts, Sarah?” If it is not a great idea, the leader can summarize the member’s suggestion and throw it back out to other members for evaluation — e.g., “Don, if I’m hearing

you correctly, you are suggesting...Sarah, what do you think?" This type of redirection also helps to keep the meeting on track.

Again, the leadership skills required for conducting effective meetings are very similar to those practiced by criminal and juvenile justice personnel every day. The new context, however, introduces additional challenges. Some people come by these leadership skills naturally. Others may require training. While formal training in facilitation skills or leadership skills would be preferable, there are other effective ways to learn these skills.

- Attend community meetings and observe how the meeting chairs conduct business.
- Talk to meeting chairs whose skills you admire and ask for suggestions.
- Ask to lead a staff meeting as an opportunity to practice these skills.
- Ask for feedback from members of groups you have chaired.

Closing a Meeting

Knowing when to end a meeting is just as important as knowing how to prepare for and conduct a meeting. After awhile, meetings become unproductive and people become disenchanted. Adler (1986) suggests three times when a meeting should be closed when

1. the scheduled closing time has arrived,
2. the group lacks resources to continue, and
3. the agenda has been covered.

The meeting facilitator should close the meeting by

- summarizing what was accomplished,
- summarizing the next steps (e.g., assignments, next meeting date), and
- thanking the group.

The meeting should be followed up with meeting minutes which summarize decisions made and actions to be taken. Unfinished business should be carried over to the agenda for the next meeting.

SUMMARY AND CONCLUSIONS

Community mobilization can be a long and involved process that offers many challenges along the way. It also offers many rewards. Working with others toward a common goal has synergistic effects. It generates enthusiasm and commitment, both of which are essential to enhancing the safety of communities.

This chapter introduced the basic tenets of effective community organizing. Several common themes emerge throughout its pages are 1) the importance of information, 2) the effects of who is involved and how they are treated, and 3) the power of planning and process.

Assessing community needs is a crucial first step in mobilizing the community. Without a clear understanding of community problems and

strengths, community projects may miss the desired target, wasting valuable resources and damaging credibility. Community organizers must take the time to explore residents' perceptions of crime and their ideas for solutions. This important phase of mobilization sets the stage for planning and implementation by establishing trust and gaining the community's support and commitment.

Building on this base of information and community support, organizers can continue to the next stage of community mobilization — moving from ideas to action. Careful planning is required for successful implementation. Organizers should involve a broad spectrum of individuals who can provide diverse skills and knowledge. Strong leadership is a must; a good leader is able to listen, support, and challenge participants in a manner that demonstrates respect and appreciation for their efforts and that facilitates goal achievement.

Successful community mobilization requires patience and persistence. Community problems are not going to be fixed overnight. In order to sustain involvement and action, community organizers must facilitate a mutually beneficial relationship. Participants must feel as if they are making important contributions and they must gain something from their involvement, whether it be social interaction, knowledge, or a safer neighborhood. This requires nourishment, open communication, and ongoing feedback.

Effective community mobilization, like most things in life, requires learning by trial and error. The information in this section provides a starting point. Don't be afraid to try something new...remember the words of Don Shula, coach of the Miami Dolphins; "Success isn't final and failure isn't fatal."

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COMMUNITY JUSTICE - PRACTICAL APPLICATIONS IN NON-CORRECTIONAL SETTINGS

Crime is a community problem — not solely a justice system problem. Community justice encourages communities and justice agencies to engage in partnerships for crime prevention activities prior to an offense being committed and for the sharing of information for collective problem solving once criminal incidents do occur.

Community justice allows an opportunity for justice agencies to collaborate, coordinate and communicate with citizen, families and community groups in an effort to address social conditions that cause and support crime and violence within communities. These partnerships create prevention related activities which in turn increase opportunities to promote or create healthier and more vital communities.

Practical examples of community justice initiatives in correctional settings are provided in individual chapters throughout *Community Justice Concepts and Strategies*. Module II illustrates how the concept of community justice is being applied on a practical level in non-correctional settings in jurisdictions across the United States. The chapters in Module II describe specific community justice initiatives and examples of community partnerships, such as — community policing, community courts, and community prosecution.

Module II will provide information on

- community cooperation and collaboration,
- the history of community policing,
- principles of community policing,
- community focus groups,
- examples of court and community collaboration, and
- how prosecutors can meet the needs of the community.

COMMUNITY POLICING: AN EVOLUTION BACK TO THE BASICS

Carl R. Harbaugh

Training Coordinator
National Sheriffs' Association

At its most basic level, community policing entails an acknowledgment that police cannot solve the problem of crime and fear of crime on their own. Police need the assistance of the public and other governmental agencies if they are to be effective in fighting crime. These new community policing programs sought out new partnerships between the police and previously unconnected governmental agencies such as probation. The key to these new programs was that the police would look for innovative ways to identify neighborhood problems and then partner with other organizations to solve those problems. This was a new philosophy that embraced joint initiatives and, most importantly, set a goal of eliminating a problem so that the strategies employed were regularly reviewed and supplemented, if necessary, until the problem was eliminated.

Police Executive Research Forum, 1996 as cited in Cochran and McDevitt, 1998, p. 23.

HISTORICAL PERSPECTIVE

Community policing is defined as an organizational philosophy and management approach that promotes community, government, and police partnerships; proactive problem solving and community engagement to address the causes of crime. Community policing is a natural evolution for law enforcement. And it is a return to the basic concepts that Sir Robert Peel related during his establishment of the London Metropolitan Police Department in 1829.

Police at all times should maintain a relationship with the public that gives reality to the historic relationship tradition that the police are the public and the public are the police, the police being only members of the public who are paid to give full-time attention to those duties which are incumbent on every citizen in the interest of the community welfare and existence (Braiden, 1992, p. 108).

This principle exemplifies the necessary unification that law enforcement must maintain with citizens. It was generally understood that by defraying the cost for police protection citizens would have one less burden with which to contend. However, the subsequent centralized organization concept moved the police away from the people. It has been suggested that the reform era in government in the 1900s, coupled with a move toward professionalism, resulted in separation of the police from the community.

Political Era

In 1919, the 18th Amendment and the Volstead Act prohibited the sale and use of alcohol throughout the United States. Not only was enforcement of Prohibition virtually impossible, but it generated so many other problems that the public generally accepted the solution as unworkable; therefore, the act was repealed in 1933. The history of policing in the United States during this era is described as being the political era (Trojanowick and Carter, n.d.). During this period, police officers performed many duties in the community; however, foot patrols of that era often were tainted because they served at the direction of local politicians. Police involvement during those times also meant corruption.

Management Model/Professional Era

With the end of World War II, police corruption issues were at the forefront and the excesses of the political era led to needed reform. Police departments began to organize according to a management model. The centralized policy making began at the top, standards were developed for training and the Civil Service Act began. In an effort to eliminate corruption, police began rotating shifts and officers frequently throughout their jurisdictions. This was to prevent officers from becoming too friendly with citizens. The centralized control concept was designed to enforce compliance with standard operating procedures, to encourage professional impartiality, and to reduce political control. Though the new management model provided many improvements, the police mandate to control crime was narrowed, the historic relationship tradition was removed, and the separation of officers from citizens was increased. The greatest era of police isolation began during the mid-20th Century (1950 -1970) when the prominent concentration of effort was on professionalism. With ensuing decades came the development of new technology. Simultaneously, the country was experiencing massive social change and crime increases. Communications between law enforcement and socially diverse communities became, to say the least, troublesome. Standardized policies and procedures to end corruption were in place, but they removed any flexibility and all power was centralized at the top of the chain of command. Police and the public became so separated that an "us versus them" attitude prevailed among both entities. The police often were looked upon "as an army of occupation."

The turmoil of protests, arguments, and ideas of the 1960s and 1970s grew into a full-scale social movement. Thousands attended demonstrations. The police — over-burdened, poorly equipped, and ill-trained to handle these massive events — became the targets of hostility for demonstrators.

Between 1968 and 1973, three presidential commissions made numerous recommendations for change in policing. Agencies of the U.S. Department of Justice, in collaboration with countless police departments, were open to research and innovation on the policing industry. Millions of dollars were spent for research, education, technology, and technical assistance.

Technological Impact

Developments in technology also contributed to the distancing between citizens and police. The use of the automobile for patrols replaced the foot

patrol officer and introduced the random patrolling concept. This technique was thought to deter crime; however, this philosophy also contributed to breaking the ties between police and the community. Citizens were unable to figure out when they could interact with officers. Random patrols were eventually found to produce random results.

Police efficiency was determined on three parameters: response time, visibility, and reduction in crime rates as illustrated in the Uniform Crime Report statistics. However, the vast majority of calls for services that police receive do not involve crimes in progress which makes response time of little value in addressing how most calls are handled. As a result, by measuring police performance on these limited parameters, both citizens and police began to wonder if police were losing their general effectiveness.

In 1972, the arrival of 911 provided a system for police to provide more rapid responses to crimes; however, the large number of calls left limited time for crime prevention efforts. The 911 services required officers to respond to an increasing number of calls regardless of the priority of the offense.

From Public Relations to Prevention

Initially, links to the community came through public relations. Outreach strategies were not designed to make a philosophical change in the way police related to their constituents but rather to make friends with the community (Trojanowicz and Carter, n.d.). Although the goals of public relations effort were worthwhile, citizens often perceived them as a way for the agency to put forth a good face. Public relations strategies were used to inform citizens of how well the agency performed its task — not to provide two-way communications.

Crime Prevention Units were developed to provide police with a more visible presence in the community when the passive public relations strategies were not proving successful. Officers visited schools, businesses, and community groups giving lectures on anti-crime tactics. However, people recognized that the crime prevention/community relations officers were not the actual officers who performed the day-to-day service (i.e., they were not the officer who cruised the neighborhoods); rather, they were isolated specialists who did not have a personal stake in what happened in these individual communities. However, it was determined that crime prevention did have some impact, and it continues as an integral component of today's community policing initiatives.

COMMUNITY-ORIENTED POLICING

In early 1980, many police organizations became committed to police reform, including the Police Foundation, Police Executive Research Forum, National Organization of Black Law Enforcement Executives, National Sheriffs' Association, and the International Association of Chiefs of Police. These organizations conducted much of the basic research that led police to reevaluate traditional methods. These five national law enforcement organizations united in 1992 to form the Community Oriented Policing Consortium, which is charged with the task of training law enforcement in the community policing philosophy.

Community-oriented policing is an organizational-wide philosophy and management approach that promotes community, government, and law enforcement partnerships; proactive problem solving; and community involvement to address the causes of crime, fear of crime, and other community issues.

Core Components

The core components of community-oriented policing are

- problem solving,
- community partnerships, and
- organizational transformation.

Furthermore, ten principles of community policing, as identified by the Community Oriented Policing Consortium (1994), state that community policing:

1. *Is community-based:* The direction of police efforts comes from listening to the community about what concerns them rather than from police assumptions about what the community wants.
2. *Focuses on creative problem solving:* All agency employees are encouraged to look at the bigger picture to try to solve pattern or chronic problems.
3. *Promotes the development of trust:* It emphasizes permanent work areas to develop trust and ownership of problems.
4. *Establishes a broader role for the officer:* The officer helps the community in resolving community-oriented problems.
5. *Stresses community involvement:* Community participation in problem solving is essential.
6. *Is proactive and not reactive:* Community policing strategies anticipate problems and attempt to prevent them from occurring or continuing.
7. *Provides help where it is needed most:* Community policing strategies provide assistance to those who are most vulnerable and initiates closer contact with at-risk groups such as the poor, elderly, and juveniles.
8. *Enhances traditional policing:* Enhances policing strategies through community interaction.
9. *Involves everyone:* All police department employees are involved.
10. *Personalizes police service:* Officers work directly with the community they serve to identify and prioritize problems and devise and carry out problem solving strategies.

Problem Solving

Problem solving is based on the assumption that crime and disorder can be reduced in specifically targeted geographic areas by carefully studying the attributes of the problem and applying appropriate resources. The theory

behind problem solving is that underlying conditions create problems. These conditions might include the characteristics of the individuals involved, the social setting, the physical environment, or the way with which these conditions are dealt (Eck and Spelman, 1987).

For problem-solving techniques to be effective, community involvement is essential. Discovering the underlying causes of crimes depends on an in-depth knowledge of the community. Therefore, community participation in identifying and setting priorities contributes greatly to effective problem solving, reinforces trust, encourages the exchange of information, and identifies other areas of concern.

In addition to examining serious crime problems, community policing also addresses issues of significant interest to the community. Community policing allows citizens to bring problems of concern directly to the attention of law enforcement. The problems vary greatly and are multifaceted. Factors influencing both the types of problems identified and possible solutions include geographical and environmental issues, time and resource constraints, and victim and offender needs and concerns. The police must work with the citizens to address these issues and concerns by encouraging them to assist in problem solving efforts.

There are as many solutions as there are problems, ranging from the simple to the complex. Problem solving requires the expertise of an array of society, government, and community resources but is limited only by the creativity, enthusiasm, and perseverance of those involved. Community policing allows solutions to be tailored to the unique needs of each community. The problem-solving process requires the expertise of an array of social, government, and community resources. In response, community policing puts new emphasis on tackling the underlying causes of crime by attacking the problems at the grassroots level.

Problem-Oriented Policing

Herman Goldstein (1992), who is considered to be the father of problem-oriented policing, developed his concept after thorough analysis of studies and experience with law enforcement agencies. He concluded that the police were placing more emphasis on organizational and operational improvements than on the substantive outcome of their work. Many people were questioning how internal management improvements affected the problems police were called on to handle. Goldstein concluded that if the police were to mature as professionals they had to concern themselves more directly with the end product of their efforts. This required the police to develop a more systematic approach to examine and address problems brought to their Goldstein (1992) recognized that in the evolution of the "professional model" police departments were in a state of chaos. Personnel were disorganized, poorly equipped, poorly trained, inefficient, lacking accountability, and often corrupt. The priority was putting the police house in order. He emphasized that obtaining a more direct focus on the primary objectives of police requires explaining the objectives more clearly. This task is complicated because so many people believe that the primary job of police is to enforce the law. In

reality, police deal with a wide range of behavioral and social problems that arise in a community — the end product of policing consists of dealing with those problems.

Traditionally, the delivery of police services was incident driven. Efforts were centered on reacting to citizen complaints; collecting information from victims, offenders, and suspects; invoking the criminal justice process and using crime statistics for performance evaluation.

Goldstein's systematic approach required police to identify a problem properly by collecting all relevant data from all related resources. After analysis of the data, the task was to develop an appropriate response. The response could consist of a variety of endeavors such as arrest, additional lighting, use of statutes and ordinances, development of new relevant statutes, or any other effort that would solve the problem. Police were encouraged to explore the root cause of the problem, not just the observable violations. Problem-solving methods include

- referring the problem to an appropriate agency,
- reducing the impact,
- minimizing the effect, and/or
- eliminating the problem completely.

Problem-oriented policing grew out of 20 years of police operations research that focused on three main themes (Spelman and Eck, 1987):

1. Increase the effectiveness of police operations by addressing underlying problems that produce incidents that consume patrol and detective time.
2. Rely on the expertise and creativity of line officers to study problems carefully and develop innovative solutions.
3. Encourage officers to initiate closer involvement with the public to make sure that the police are addressing the needs of citizens.

A four-part process was proposed as a method in which to examine and resolve crime problems. This process, often referred to as **SARA**, consists of (Eck and Spelman, 1987):

- **Scanning:** Problem identification.
- **Analysis:** Collecting all relevant data to illustrate the underlying cause.
- **Response:** Working with all aspects of the community to formulate an action program designed to provide solutions.
- **Assessment:** Evaluation of impact to assess the impact of the response.

The four-step strategy was tested by the Police Executive Research Forum in cooperation with the Newport News, Virginia, Police Department. The results showed that through the use of the SARA method, downtown robberies in Newport News decreased by 38%; burglaries in an apartment complex were reduced by 45%, and theft from parked vehicles near a manufacturing plant decreased 53% (Spelman and Eck, 1987).

Goldstein's problem-oriented policing model, using various forms of the

SARA method, is the most common means used today in problem-solving activities. Problem solving is based on the assumption that crime and disorder can be reduced in specifically targeted geographic areas by studying the attributes of the problem and applying appropriate resources. The theory behind problem solving is that underlying conditions create problems. These conditions might include the characteristics of the individuals involved, the social setting or physical environment, and the way in which these conditions are handled.

Discovering the underlying causes of crime depends on an in-depth knowledge of the community. Community participation in identifying and setting priorities contributes significantly to effective problem solving, reinforces trust, and encourages the exchange of information.

Community Partnerships

Establishing and maintaining mutual trust is an essential ingredient of developing community partnerships. For years police departments have recognized the importance of cooperation with citizens, businesses, civic organizations, schools, and social service groups in combating crime. Community policing recognizes the police are an integral part of the community and that the police must work in tandem with other community members to establish goals and objectives, as well as to define priorities and allocate resources toward crime solving and crime prevention efforts.

Carrying out community partnerships means the police have to adopt a perspective that exceeds traditional law enforcement tasks. This approach recognizes the orderliness and well-being of a community requires working with the community to improve neighborhood conditions. This demands trust be developed between the community and police. Trust will enable law enforcement to gain greater access to information from the community that could lead to the resolution and prevention of crimes. It provides an opportunity for the officer to establish a relationship with the citizens, which, in turn, provides additional support needed for crime control.

Establishing trust does not occur overnight. It is an ongoing process that must be achieved before the police can assess the needs of the community and develop those ties that will enhance community involvement.

Establishing trust and cooperation is generally based upon the community's image of the police. Poorer communities generally have a long history of more negative contact with police than do the upper and middle class neighborhoods and, thus, are less trusting. In community policing, it is essential that the police become both the catalysts and facilitators for the development of this trust. These expanded efforts are important in changing the community perception of the police as a limited resource, to becoming a partner to enhancing the quality of life. To build trust for effective community partnerships, police must treat people with respect and sensitivity. The use of unnecessary force, arrogance, aloofness, or rudeness at any level of the agency will dampen the willingness of community members to ally themselves with the police (Community Policing Consortium, 1994). Commitment to the concept must be saturated throughout the agency.

Developing partnerships requires officers to act in accordance with Sir Robert Peel's principles of law enforcement. These principles emphasize that the basic mission for police is to prevent crime and disorder. In doing so, the police must secure the willing cooperation of the public to voluntarily observe the rule of law. Goldstein further stated that the test of police efficiency is based on the absence of crime and disorder, not on the actions police employ to deal with crime and disorder (Goldstein, 1992).

Building partnerships requires a commitment on the part of both parties. In a partnership, if one side fails the other fails also. A total commitment based upon trust, confidence, and cooperation builds police-community partnerships. This is the crux of community policing. Without this partnership there can be no long-range problem-solving successes.

Organizational Transformation

The shift from the professional model of law enforcement to community-oriented policing has caused a fundamental rethinking of the way law enforcement envisions its mission and its core competencies. Such a paradigm shift is not easily accomplished. Paths of resistance are found often within the ranks of the agency and in communities. Some police officers insist they are only "crime fighters" and that community policing is a "soft" approach to serious problems. Some communities, due to their perceptions of police, are reluctant to join hands with the police.

Paradigm shifts challenge people's deeply-held beliefs about the way they should perform. Most people find change uncomfortable. It is suggested that 10% of any organization will resist change, while 10% will readily accept it. The remaining 80% will have to be convinced. For those who resist, the change may be so unsettling that they may attempt to subvert or sabotage the entire process.

In order for the transformation to occur, officers must understand the need and nature of the change, believe that the proposed change is viable, have a clear vision, and plan of action to follow during the process. Understanding the impact the change will have on the organization and the benefits of the change also is critical. Leadership must demonstrate commitment to change throughout the organization. Without commitment from the top, the rank and file will perceive change as too risky and will not participate.

Changing from a hierarchical, micro-focused organization — where the authority is centralized and where decisions are based upon past practices — to an organization where the rank and file are given the responsibility and authority to solve community-related concerns by taking the initiative is a risky undertaking for many police executives. Empowering line officers to use their own judgments goes against many of the hierarchical principles with which officers in traditional policing departments have worked. This flattening of the organization requires patience, planning, education, and training.

Community policing is a philosophy that changes the traditional aspects of law enforcement; therefore, some middle and upper management personnel are fearful, resistant, and sometimes disruptive toward the changes. Consequently, community policing leaders must "think outside of the box,"

empowering employees to identify and solve problems with the community, base decisions on values and consensus, and focus on the mission, goals, and outcomes.

Some law enforcement agencies may state that they are community policing agencies; however, a close review of policy, procedures, and practices may indicate that they are still centralized without line officer empowerment. They may have good community relations programs but lack active community partnerships. Their problem solving efforts still may consist of "we know best."

The chief executive officer should assure that the community policing philosophy is espoused throughout the agency's policies, procedures, and practices. Reference to community policing values should be included in commendations, disciplinary action, and standard operating procedures. This can be accomplished only with total commitment by the leaders. One enterprising sheriff who met resistance from an experienced officer included him on the community policing implementation team. As a result of having input and ownership, this individual evolved into one of the agency's best community policing advocates.

Traditional law enforcement is numbers and incident driven, with the belief that "we are doing it for the community." Community policing shifts the agency's focus to working with the community through partnerships. This requires law enforcement agencies to focus on quality of life issues, in addition to engaging in the typical "crook-catching" activities. Community policing fully involves the community in the change process, which allows for informed decision making and assists in transition.

DEVELOPING A STRATEGIC PLAN

The changing philosophy of law enforcement requires that leaders do the right thing through vision and commitment. Leaders must not only encourage the development of an agency vision but also remain committed to that vision for change to occur. In order to develop a vision, leaders must clarify agency values, create the vision, define the mission, and implement it. This must be done in complete cooperation with the employees, citizens, businesses, organizations, government, and community partnerships. Through this type of collaborative process, leaders can instill pride and ownership of the end result in agency staff and the community.

Law enforcement agencies need to develop a written strategic plan containing a mission statement, goals, objectives, and strategies for implementation. Strategic planning is crucial to help law enforcement agencies ensure that they are providing appropriate, effective, and efficient services to their communities. It is a process that every agency needs to undertake.

Strategic plans should be based on a thorough analysis of issues such as current and projected population, calls for service, workload levels, personnel assignments, and other related factors. This will assist police in developing more effective methods to deliver service while supporting the need for additional resources. Careful analysis can provide a basis for determining if agency reorganization, personnel reassignments, or shift reconfiguration are

necessary. A well thought out, written strategic plan will provide not only creative and innovative ways to overcome current concerns, but also will provide documentation of future needs. A written plan is essential to ensure the agency keeps on course with its agenda. Annual reviews of the plan will indicate whether or not the department is maintaining its focus and, if not, what corrections need to be made.

Strategic planning emphasizes using analysis and evaluation to develop measurable goals and objectives through an interactive process involving employees and citizens. As a member of a community and law-enforcement strategic-planning group in Jefferson County, a West Virginia resident recently said, "We are making history. This is the first time the community and law enforcement have sat down together to solve...problems." The strategic-planning process gives ownership to citizens and law enforcement employees alike. Ownership brings responsibility, and accepted responsibility brings results.

Strategic planning with all its components is the tool for reorganization and the development of more efficient and effective ways to deliver services. Strategic planning requires nontraditional thinking. "That's the way we have always done it" reasoning needs to be replaced with visionary concepts. Any idea to overcome an obstacle should not be ignored or dismissed until it has been thoroughly discussed with all those concerned.

Strategic planning consists of several very important steps. Some steps include tasks that can be time consuming; however, there are times when tasks can be taken simultaneously to facilitate swifter implementation. The following section highlights some of the major tasks involved in the strategic planning process.

Identifying Values

Police Chief Nicholas Pastore, the leader of community policing in New Haven, Connecticut, states, "Community policing is a philosophy as opposed to a program" (Jones, 1995). Agencies engaging the community must have an underlying philosophy regarding community involvement upon which all agency practices are based — from hiring personnel to measuring results. Involving the community goes far beyond the mere modification of existing policy or program development (Community Policing Consortium, 1994). It requires an extensive exploration of organizational values and a realignment of goals and activities to reflect those values.

Involving the community will be much less complicated once an agency has taken steps to define their values and ensure that their practices are in concert with these values. Agency personnel will be more committed to working with the community; and the community will be more receptive to working with an agency with values and practices that reflect concern and respect for the community.

Values are the guiding principles upon which a mission statement is based. These organizational values should encourage decision making at the most effective level, promote citizen involvement, and reinforce integrity and ethical behavior. Crime control and prevention must be recognized as dual parts of

the fundamental mission of police. Promoting partnerships and problem-solving methods to reduce crime, the fear of crime, and other social concerns is what community policing is all about.

Developing A Mission Statement

Mission statements set forth, in broad language, the organization's ultimate purpose. They clarify an organization's strategic intent and its reason for being. The lack of a clear mission can lead to serious organizational repercussions. If an organization does not have an understanding of what its purpose is, the confusion can lead to reactive management, confused operations, and ineffective services. Mission statements must steer planning and operations toward desired outcomes. A mission statement should clarify organizational intent (e.g., "build community partnerships"), without spelling out how it will be done (e.g., "through public relations").

As is the case in community policing, integrating the community in agency missions and operations may change, or refocus, the mission and role of policing from the more traditional reactive and enforcement approach to a more proactive and preventive approach.

The community policing philosophy reaffirms that proactive crime prevention, not merely responding to calls for service, is the basic mission of the police. Community policing fulfills this mission by maintaining a visible police presence in neighborhoods, undertaking activities to solve crime-producing problems, arresting law violators, maintaining order, and resolving disputes. At the same time, community policing is anchored in the concept of shared responsibility for community safety and security. In community policing, the police and citizens are partners in establishing and maintaining safe and peaceful neighborhoods (National Institute of Justice, 1992, pp. 2-3).

Considering the major restructuring that can result from integrating the community in the mission of law enforcement, an inclusive approach to mission development is all the more imperative.

Establishing Goals

While desirable, a broadly stated mission can be overwhelming. Clarifying organizational goals begins to bring the mission into focus and break it down into manageable, achievable components. Just as the mission statement is the agency's foundation and goals provide a framework for accomplishing the agency's mission. Generally, an agency sets forth two or three major long-range goals that reflect the agency's vision for the future. These goals help agency personnel visualize where the agency is heading, the role they will play, and what the agency hopes to achieve. Goals should be realistic and achievable for involving the community in an agency mission. Goals also help the agency reaffirm to the public that it is committed to operating at maximum efficiency and effectiveness.

Defining Objectives

Objectives outline steps needed to achieve program goals. Objectives must be achievable and measurable. In the initial stages of strategic planning, it is best to set three to four attainable objectives for each goal that can provide employees with a sense of accomplishment rather than overly ambitious ones that can lead to discouragement.

Determining Tasks

Determining tasks is a process in which tools needed to construct the framework of the strategic plan are identified. Tasks outline how each objective will be accomplished. For example, if the goal is to enhance community relations, the strategic plan would be developed to include the following:

- *Goal:* To enhance community relations
- *Objective:* Develop a citizens advisory council
- *Strategies or Tasks:*
 1. advertising for and recruiting participants/members
 2. meeting with citizens
 3. locating adequate facilities
 4. developing meeting schedules

Each task should be identified as a responsibility. For employees, checking off completed tasks instills a sense of ownership, boosts morale, and ultimately helps an agency succeed in its mission.

IMPLEMENTING THE STRATEGIC PLAN

Through the strategic planning process, departments can implement community policing efforts that emphasize using partnerships to solve crime problems and identify other specific community problems. The major components of community policing — community partnership and problem solving — cannot be effective without assistance from volunteers. Community policing programs such as Neighborhood Watch, McGruff House and Advisory Committees consist of volunteers working in conjunction with law enforcement.

These volunteers provide a service that would cost the taxpayer thousands of dollars. One agency reported that volunteers provided services in 70 different areas, allowing personnel to be available for more pressing law enforcement duties.

Many agencies are establishing auxiliary volunteer patrol units to handle traffic direction, patrol communities, and handle situations that do not require law enforcement personnel. Others are analyzing their staffing and instituting civilian positions to allow for more law enforcement personnel to be in the communities.

Volunteers, working together in cooperation with law enforcement and other governmental entities, are “taking back the streets” within their

neighborhoods. They are also providing support for agencies by lobbying for increased resources. Volunteers working for a law enforcement agency can readily view the obstacles involved in providing services with minimal resources.

When law enforcement and government budgets are cut, more often than not it is volunteers who give their time and effort to assure that their communities can continue, or improve upon, their life styles. Many volunteers also provide, at their own expenses, funds and equipment for law enforcement agencies.

Volunteers take many forms, from the individuals who give their time to work in law enforcement agencies to those who form neighborhood concern groups, to those who participate in neighborhood clean-up. Each one who gives their time, no matter how little or how much, is contributing toward improving community living by eliminating or reducing factors that contribute to crime and the fear of crime.

Law enforcement agencies develop various partnerships with many different organizations. Some are directed toward crime prevention, some toward intervention, and others toward a specific population in need of assistance, such as the homeless, or the mentally ill. The particular organization of the partnership needs to be designed to the particular area of concern.

The use of the Internet and the resources of the Community Policing Consortium will provide agencies and individuals with descriptions of many programs that can be designed for approaches to form local partnerships.

Promising Programs and Approaches

Many programs and practices being implemented as part of community policing initiatives are showing positive results.

- *Citizen police academies*, which began in Texas, have been found to be a successful program in which citizens can be educated about the police activities and strategies. The course (usually two - three hours per week for 10 weeks) consists of informational instruction regarding manpower, budget, criminal investigations, firearm familiarization, jail tours, traffic, and enforcement issues. Some agencies provide graduates with certificates, while others give them shirts and caps. The citizen police academy has been found to be an excellent pool from which to recruit volunteers for other prevention and problem solving efforts and programs.
- *Citizen advisory councils* facilitate a strong partnership between police and citizens. Community representatives meet on a regular basis with personnel from the law enforcement agency. The citizens offer input that provides the police with information needed to develop strategies for better serving the community. Some advisory councils review budgets, policies and procedures, and conduct community surveys. Others recognize police and citizen alike, who have contributed to the enhancement of the jurisdiction.

- *Student advisory councils* operate similarly to citizen advisory councils, except that council members include law enforcement, students, and school administrators. The Student Advisory Councils focus on youth and school-related problems and issues.
- *TRIAD* is a three way partnership sponsored on a national level by the American Association of Retired Persons (AARP), the International Association of Chiefs of Police (IACP), and the National Sheriffs' Association (NSA). TRIAD promotes partnerships between senior citizens and the law enforcement community, both to prevent crime against the elderly and to help law enforcement benefit from the talents of older people. TRIAD is rapidly expanding throughout the country.
- *Seniors and Lawmen Together (S.A.L.T)* is a partnership of law enforcement and citizens that acts as a seniors' advisory council to law enforcement agencies. Senior citizens are concerned about different problems than the younger person. In response, S.A.L.T. councils have sponsored a variety of "senior summits" to address concerns and issues of the elderly (e.g., better health care, fear of crime).
- *Citizen Watch Groups*: At times, citizen watch groups are furnished with video cameras by some police agencies. These citizens film various violations, from traffic to drugs. This approach provides the police with video data upon which to make appropriate enforcement decisions. Many departments prepare newsletters and distribute them to specific neighborhoods. Distribution is often obtained through the efforts of scout troops and other volunteers.
- *Inmate labor*: Numerous jails throughout the country are involved in community policing by the creative and innovative use of inmate labor. Inmates tend jail farms, from which the food is not only used in the jail to cut costs, but also given to nursing homes, homeless shelters, and the like. Inmates are used to tear down condemned property, prepare and install Neighborhood Watch signs, assist in the preparation and distribution of public safety circulars, and make gifts for the home-bound elderly. This concept of utilizing inmate labor is not new. What is new is the use of inmate labor and probationers to enhance community living.
- *Community substations* have been opened in neighborhoods for officers to use for routine business, rather than their having to go to the main police department. The establishment of police foot patrols in neighborhoods, coupled with the establishment of neighborhood office space assures a means for everyone to become familiar with each other. Many substation attendants are neighborhood volunteers.

Obstacles to Implementation

Leaders who have made the transition to community policing agree that implementation is sometimes difficult. One aspect of community policing that must be addressed within the implementation process is the belief that officers need to be completely objective in the performance of their duties. Some

believe familiarity breeds subjectivity that lends itself to officers overlooking violations, providing special services and, in general, not performing in a professional manner.

In contrast, the community policing philosophy advocates that officers be assigned to permanent beats so they can become familiar with the residents and, thereby, become more able to develop trust and understanding needed to build community partnerships. It also is believed that this familiarity will help empower officers to make decisions as to how to best handle neighborhood problems. Community policing does not eliminate the need for strict enforcement. It is another way to deliver services. The type of service delivery is determined most often by the way residents of communities incorporate law enforcement into their lives and how they feel about their communities.

In addition, misconceptions by law enforcement personnel create internal resistance to community policing. Some law enforcement personnel see it as "another program," while others see it as "soft on crime." In reality, it is neither. It is a working philosophy that enhances the traditional reactive method for law enforcement tasks. Community policing will not replace the normal duties of police investigating crimes, making arrests, and enforcing statutes and ordinances. It does, however, mandate that officers take a more proactive role in addressing crime and become involved in problem-solving activities with citizens.

Externally, there are generally two obstacles to implementing community policing. The first is related to the community's negative perception of the police, which can foster mistrust or a misunderstanding of what community policing objectives really are. The second obstacle is related to maintaining enthusiasm among those engaged in partnerships with the police.

Commonly, whenever a neighborhood has a crisis, such as a series of criminal activities, initially, people often will gather and form a coalition to combat the situation and to try to prevent further criminal activity. The problem arises when the crisis is over. After the initial panic begins to subside, many communities resort back to their original state of individualism.

Maintaining enthusiasm with community partnerships often is fraught with frustration on both sides of the fence. There is no set formula for maintaining long-range partnerships, but law enforcement must understand that the public is not the enemy. Rather, the public can be a tremendous asset in problem-solving and prevention efforts. To counteract this frustration and build ownership in the process, all partners involved in the particular endeavor need to have the opportunity to identify and prioritize their concerns and have a voice in establishing long-range and short-range goals. Progress toward meeting established goals needs to be evaluated continually. Successes, no matter how small, need to be recognized.

Training

Community policing is a philosophy that must be instilled in everyone if it is to succeed. It is a work ethic, a way of doing things, and an attitude. Therefore, a critical factor in the implementation process is the training of agency personnel, community members and government officials. Many

individuals view community policing as a program. In fact, many police executives believe they are doing community policing when they participate in Drug Awareness Resistance Education (DARE) or start a neighborhood watch. Crime prevention programs are only a part of the concept of community policing. Some people prefer to think of community policing training as community policing education. The reason for this is that training normally prepares people to do the same thing all the time, such as handling firearms, processing crime scenes, interviewing, and other job related activities. Community policing encourages participants to think outside of the box and be creative. It teaches them to expand their thoughts beyond traditional law enforcement solutions. They must educate themselves about the community, availability of resources, and solving problems. Not all problems are the same; therefore, not all solutions are the same. Solutions can only be achieved through expansion of a person's normal responses.

Training and education must be a continuing effort as they are crucial to the involvement of community-oriented law enforcement. The philosophy needs to be integrated throughout the agency and community; individuals involved must be committed to developing partnerships to resolve concerns through creative and innovative problem solving techniques. Attrition of personnel provides positions for new people. New employees must be educated in the community policing philosophy through recruit school and both specialty and in-service training. Law enforcement executives have finally conceded that there are not enough of "us" to handle the job and that we must share our resources and work together with our communities to successfully apprehend criminals, reduce crime, and make neighborhoods safe. This attitude, through training and education, is slowly changing the face of policing.

CONCLUSION

The concept of community-oriented policing is not new. The seed was planted in the 1820s when Sir Robert Peel started the London Metropolitan Police Department. Over the past 20 years of police experiments, re-evaluation of the police purpose, and, in general, the pressures of societal changes, the idea is beginning to blossom. Community policing is a systemic process for the police, government, and citizens to work together to resolve crime and related problems in a complimentary manner.

To be effective, it is necessary for agencies to develop an understanding of the core elements of community policing — community partnerships, problem-solving, and organizational transformation. Community policing will not eliminate the need for police to react to violations, but it does provide a system in which proactive initiatives, working with citizens and other government entities, will provide a better working environment, promote cooperation, and enhance the overall quality of life.

Community policing is not an easy task to undertake. It requires training, education, motivational skills, creativity, and broad knowledge, as well as an understanding of citizens, communities, and government. It requires information and resource sharing, organizational and management changes, delegation of authority and responsibility. In general, community policing

requires a re-tooling of America's law enforcement process. It is a journey in which the destination is better communities, improved relations, and the establishment and maintenance of a better quality of life for all citizens.

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BRINGING THE PUBLIC IN: COLLABORATIONS BETWEEN COURTS AND COMMUNITIES

Hillery S. Efkenman and David B. Rottman

Research Division
National Center for State Courts

Community justice is the neighborhood-based prosecutor who works with community police officers to insure that such individuals come before the community court. It's a courtroom right in the neighborhood. Local residents can visit the court and acquire an understanding of how the justice system works. Community justice is a judge who imposes swift and certain sanctions, making justice visible and immediate. The judge carries out sanctions within the community, and for the benefit of both the community and the victim. In addition, community justice means that the court also identifies and provides social services, including drug treatment and family counseling for the offender's underlying problems that are manifested in criminal activity

U. S. Attorney General Janet Reno (1997, p. 16).

WHAT IS A COURT AND COMMUNITY COLLABORATION?

“Collaboration” covers a wide range of relationships, ranging from mutual tolerance (notably in international affairs) to comprehensive partnerships. The interest of the National Center for State Courts (NCSC) is in promoting durable structures through which courts and communities can engage in a dialogue and work cooperatively to improve the administration of justice and, thus produce better results for individuals, communities, and society at large. Even within that restricted sense, court and community collaboration takes on many meanings. The focus, underlying philosophy, and modus operandi will vary from place to place. The “court” in question can be an individual judge, an entire trial court, or even a state system of trial courts. The “community” in the collaboration can be specific local organizations or the public at large within a defined geographical area.

In examining court and community collaboration, it is helpful to distinguish between what might be termed the programmatic and the systemic applications of collaboration. On the programmatic level, collaboration is a blueprint for establishing court programs or special courts, or for dedicating a judge and courtroom to a particular set of cases. Trial courts gain the resources needed to adjudicate new types of disputes in criminal and civil law, enhance public understanding and support, and generate energy and enthusiasm among volunteers. Communities gain a unique vehicle for addressing local problems by combining the teeth of court sanctions with the power of community networks and knowledge. Thus far, such collaborations have been forged primarily between communities and courts of limited jurisdiction that process misdemeanor criminal and juvenile delinquency cases.

On the systemic level, court and community collaboration offers an orientation on the administration of justice, speaking to the manner in which the judicial branch of government should be run in the 1990s and beyond. Court and community collaboration is an ethos that can guide a court, a court system, or a state judicial branch to higher levels of performance and generate a public constituency that understands and supports the courts. California, Massachusetts, New Jersey, and New York are pioneers in introducing the systemic aspect of court and community collaboration into their court systems. The label "court and community collaboration" is used here rather than "community-focused court" or "community court" to express the multifaceted nature of what the court and the community seek to encourage.

It should be noted that there is no authoritative definition of court and community collaboration. However, a recent "executive session" on the topic brought together 30 judges, court administrators, and community leaders from around the country to clarify and refine the concept. The following working definition emerged from their deliberations:

Court and community collaboration is a sustained, two-way commitment to ensuring that the justice system is open and effective for everyone. The process of court and community collaboration is integral to the fair administration of justice. It is not a one-shot event aimed at solving one isolated problem or satisfying one special interest group.

The philosophy of court and community collaboration gives the public a legitimate institutional role in the development of court policies, plans, and programs and through collaboration strengthens court independence, operations, and effectiveness.¹

WHY ARE COURT AND COMMUNITY COLLABORATIONS IN THE NEWS?

The current interest in court and community collaboration is a product of the history of court reform in this country, the changing roles and responsibilities of the courts, and the ways in which courts and communities reinforce one another.

Court reformers in this country have promoted the virtues of centralized trial courts that are responsible for all types of cases. In issuing this recommendation, reformers were responding to their concerns about the proliferation of courts during the early 20th Century that entangled courts with local politics and allowed litigants to 'shop' for a sympathetic judge. The evils associated with the sheer number of courts were of greater concern to reformers than the prospect of estrangement between courts and communities resulting from centralization. In urban areas, reform efforts created a single "downtown" courthouse and in rural areas a multi-county court district. The change was

¹ This definition is based, in part, on a statement by Chief Justice Shirley Abrahamson of Wisconsin, quoted in National Center for State Courts and the American Judicature Society. Improving Court and Community Collaboration. National Center for State Courts, 1995.

dramatic. Some 556 courts served the citizens of Chicago in the 1930s; today, a single court with a main courthouse and 10 satellite locations serves the city.

An unintended consequence of these sweeping reforms was that courts became less visible and less attached to identifiable communities. Various attempts were made to reconnect courts with communities. For the most part, the goal of such efforts was to create conduits of information between the courts and the community through court-watching programs, judicial disciplinary commissions, and court advisory committees. They proved insufficient to forge a genuine connection between courts and the public.

In addition to physical isolation, other factors have contributed to estrangement between the courts and the community. Public perceptions of the courts have been shaped by the conduct of a few notorious cases and fictional representations, largely filtered through the news media. As a result, the public image of the courts declined. Courts were viewed as difficult to understand, detached from the concerns of ordinary citizens, inconvenient to access, costly to use, and slow to reach decisions. Doubts also emerged about the fairness of court decisions as applied to various racial and ethnic groups and across the income spectrum.

In the 1980s, concerns about access to justice and public dissatisfaction merged with a worrying trend concerning the kinds of cases that were reaching the courts. Trial courts were inheriting new and challenging responsibilities for solving apparently intractable social problems at the local level. This responsibility emerged, in part, by default. Problems like substance abuse and domestic violence overwhelmed the capacities and capabilities of both government and private institutions. Courts, however, could not limit the flow of these problems into the courtroom as individual defendants and litigants, in both criminal and civil cases, brought with them their increasingly complex and troubled lives. The resulting caseload pressures were most acute in courts of limited jurisdiction that were established to hear misdemeanor criminal and local ordinance violation cases. Such cases are routine in terms of the legal and evidentiary issues before the court. However, effectively intervening in a manner that restricts recidivism is very difficult, especially in a court that has a high volume of cases and has traditionally been thought to require minimal judicial attention. Juvenile and family court judges also were increasingly asked to deal with the social and personal problems of defendants and family members that stood in the way of effective adjudication of their cases.

A sense of crisis is promoting creativity in responding both to the low public image of the courts and to the social problems that underlie an increasing share of the court's dockets. Typically, the precipitating force is an individual judge who has grown deeply dissatisfied with the available diagnostic and treatment services or with the degree of coordination among service providers. Coordinating task forces and committees have been established for the locality served by the court. New programs combining court and community resources are being initiated and modified with experience. While decisions on individual cases remain the sole province of the judge (or a judge and jury), decisions on the nature and governance of coordinating bodies and programs

are made collaboratively. In a sense, courts are rediscovering the benefits that trial courts once enjoyed from working collaboratively and closely with local communities before the reform agenda prompted consolidation. These court and community collaborations afford individual courts and court systems a means to influence public opinion at the local level through education and by becoming more accessible, fairer, timelier, and more accountable.

WHAT IS THE NCSC'S EXPERIENCE WITH COURT AND COMMUNITY COLLABORATION?

In 1994, with funding from the Bureau of Justice Assistance, the NCSC began an ambitious program to examine further how court and community collaboration could serve as a mechanism to strengthen the relationship between the courts and communities. The program, originally referred to as the Community-Focused Courts Development Initiative, seeks to identify and develop models in which courts and communities work collaboratively to improve the administration of justice and solve some of the critical issues facing their respective jurisdictions. Working with a distinguished advisory committee of court and community leaders, the Initiative identified many examples of court and community collaborations attempting to address a variety of these difficult social problems, including domestic violence, juvenile delinquency, gun violence, and substance abuse. At the same time, courts were encouraged to engage in measures that directly seek to enhance public trust and confidence in the court system. To better understand the dynamics of these collaborations, project staff visited courts across the country to witness programs in action and to speak directly with participants. This "hands-on" experience was carried out in geographically, demographically, and economically diverse settings.

The remainder of this chapter uses the experience of these successful court and community collaborations to offer practical advice on how to collaborate. Emphasis is given to the challenge of securing broad-based and meaningful community participation in a collaboration. Public involvement in the courts shares some features with community policing, community prosecution, and community corrections. However, the status of the courts as a separate branch of government introduces some novel elements to the nature of public involvement.

Examples of Court and Community Collaboration

Court and community collaborations take diverse and interesting forms. A review of activity across the country reveals that court and community collaborations have already proven durable; some have thrived for nearly a half-century. Currently, collaborations arise most consistently in courts with jurisdiction over juvenile and family cases. However, examples can be found in most areas of criminal justice, including substance abuse, felony firearm-related offenses, drunk driving, and quality-of-life misdemeanors. Civil justice disputes are rarely considered within a court and community collaborative framework at present, although innovations in landlord/tenant cases and community mediation suggest that a significant potential for incorporating a

community focus in these courts exists.

The eight examples that follow convey the concept of collaboration and the benefits it confers.

- *Peacemaking Division of the Navajo Nation of Arizona and New Mexico.* Peacemaking is embedded in a cultural context of cooperation and clan and kinship relationships that promote a sense of responsibility toward preserving the harmony of Navajo society. Communities choose Peacemakers for their wisdom and leadership skills, their ability to communicate, and their standing among their families and clan members. The Peacemaker Division was added to the adversarial, western-style courts of the Navajo Nation 14 years ago. Peacemaking concentrates not on determining adversarial outcomes (e.g., winning or losing, guilt or innocence), but instead on finding resolution through community-affirming, problem-solving, and consensus-building discussions under the guidance of the Peacemaker. Peacemaking ceremonies follow an established pattern:

1. introductions,
2. prayer,
3. questioning of all involved and interested parties,
4. review of established points,
5. assistance with group communication,
6. development of a problem-solving statement,
7. summary, and
8. commitment to solidarity and prayer.

To highlight a few of the interesting characteristics of peacemaking: Sessions follow the traditions of Navajo religious ceremonies and cultural traditions of preserving social harmony and rely on extended kinship and clan ties to resolve disputes; the use of court subpoenas ensures that the key members of extended families participate in the dispute resolution; and peacemaking is available on direct request of the parties to any dispute or on referral by the adversarial court.

- *First Impressions Project, Los Angeles, California.* The Los Angeles Municipal Court established the "First Impressions" project to reach out to fourth and fifth graders in the schools of Los Angeles' most underprivileged communities. Volunteer attorneys visit classrooms to explain the legal system. The students then visit the courthouse with the attorneys, guided by docents drawn from the school's neighborhood. At the courthouse, the students observe court proceedings, meet judges, and role play as judges, attorneys, and jurors in mock trials. "First Impressions" is a collaborative effort between the judges and staff of the court, local bar associations, citizen volunteers, a school transportation company, curriculum developers, and Ticketmaster, which provides prizes to essay contest winners.
- *Franklin County Futures Lab, Greenfield, Massachusetts.* The Franklin County Futures Lab Task Force was established in 1994 as a follow-up to

the state's *Reinventing Justice 2022* report. The 38 Task Force members represented a cross-section of Franklin County's communities, services, courts, and citizens. A series of town meetings throughout the county provided the public with an opportunity to voice concerns about the justice system and to make recommendations on how it might be improved. The meetings culminated in a one-day conference to begin the process of setting long-term goals and planning innovative projects for the judiciary of Franklin County. Resulting proposals include the creation of an Implementation Council to continue the work of the Task Force, as well as a Community Education and Outreach Board as a mechanism for on-going dialogue with the community. The strengths and unique characteristics of the program include its effort to look at the court system holistically rather than at its component parts, the expansiveness of stakeholder representation, from both the court and the community, its use of community involvement as a tool to overcome barriers and resistance within the court system, and supportive leadership from the bench.

- *Detroit Handgun Intervention Program, Michigan.* The Handgun Intervention Program was established in 1993 by a judge in the 36th District Court in Detroit, Michigan, who worked with a group of volunteers, including court employees (probation officers, clerks, and translators), law enforcement officers, clergy, and other community leaders. Attendance in the program is a requirement for bail release for adults charged with felony firearm offenses, and juvenile defendants attend the program on referral. Other participants may attend the program voluntarily by referral from teachers, clergy, social workers, parents, and past participants.

The program is held weekly on Saturday mornings in a courtroom. Over a four-hour period, probation officers, police officers, and a judge present a focused, fine-tuned message aimed at raising the awareness of young people about the dangers and consequences of gun violence. Program presenters explain the connection between firearm violence and the problems that defendants face in their own lives and discuss the consequences of firearm violence for their families and communities. During each session, presenters employ morgue photographs of fatal gunshot wounds, linked to the stories underlying each death. They emphasize deaths of innocent bystanders and of individuals who were themselves carrying a firearm when murdered. Presenters use their personal experiences, comparisons to other countries, and lessons from world history to reinforce the basic message of the program: the need to make positive life choices and to take responsibility for one's own life and for the life of one's community. The message is balanced with practical advice, as well as educational and employment resources that are available through the program. Participants are encouraged to return voluntarily to future sessions and to bring others with them.

- *County Youth Assistance Program, Michigan.* Oakland County Youth Assistance (YA) was formed in 1953 by a group of citizens from one area of the County and one of the Probate Court judges. To provide an

alternative to the traditional system of referring troubled youths to the centralized county probate court, they developed a program to assist these youths within their own communities. The mission statement of Youth Assistance is "to strengthen youth and families and to reduce the incidence of delinquency, abuse, and neglect through volunteer involvement." Youth Assistance is administered by the Oakland County Probate Court through offices in 26 communities throughout the county. Funding and other resources are provided through a tri-sponsorship arrangement between the probate court, the local school districts, and municipal and town governments. The probate court provides professional staff (a caseworker) who is assigned to each office to provide counseling services to youth and their families and to assist with community organization and volunteer management activities. Some of the most striking characteristics of Oakland County's program are its level of community ownership and local autonomy; the community-driven programming that responds to the individual community's needs; and the longevity and adaptability of the program over its long history.

- *Juvenile Conference Committees, Hudson County, New Jersey.* The Hudson County Family Court established Juvenile Conference Committees (JCC), through which one-third of its minor, first offense cases are disposed. Six to nine community volunteers staff each of the committees and hear cases that do not warrant a court hearing but are worthy of an expression of social and judicial disapproval. The court's intake workers divert the cases to the committees. During hearings held in facilities dispersed throughout the county, local JCCs meet with juveniles, their family members, and interested parties to determine the circumstances surrounding the complaint. Committee members subsequently recommend a disposition to a family court judge for approval. By court rule (compliance with which is monitored), members match the racial and ethnic composition of the locality with a wide variety of backgrounds and experiences. Members include college students, business owners, and clergy. The county stresses representation of committee members by all linguistic groups in a county with a very high proportion of foreign-born residents. The dynamic aspects of this long-established program include over 40 years of experience in building a strong state infrastructure involving volunteers; structured professional education and skills training for volunteers, contributing to judicial confidence in JCC decisions; and successful retention of volunteers over long periods of time.
- *The Midtown Community Court, New York.* Founded in 1993, the Midtown Community Court tackles a wide array of social problems manifest as low-level, quality-of-life offenses in Times Square and its surrounding residential neighborhoods. By focusing on these low-level offenses, the court is able to give these crimes a level of attention they would not have received at the centralized, downtown criminal court. The court's philosophy maintains that communities can be crime victims. Thus, the court responds to community concerns that these crimes deserve a higher priority since they

depreciate the quality of life in the community. The court began as a public/private partnership, and incorporates the resources and staff of city, state, not-for-profit, and voluntary organizations to design and provide sanctions and services for offenders. For example, sanctions may include community service projects that improve the local environment, drug treatment, health screening, and educational opportunities.

- *Norfolk Juvenile & Domestic Relations Court, Citizen Advisory Council, Virginia.* In 1984, a court order mandated the creation of a Citizen Advisory Council (CAC) to advise and otherwise assist the court. The duties of the CAC include
 1. consulting and conferring with the court and the director of the Court Services Unit about the development and extension of court service programs,
 2. recommending amendments to the law and communicating thoughts and advice about pending legislation affecting children and domestic relations law to members of the General Assembly after consultation with the court, and
 3. conducting annual visits to local facilities receiving children under court orders and issuing a report to the court on the conditions and surroundings of these facilities.

Strong institutional support and membership drawn entirely from the community are characteristics of this collaboration. The substantial contributions of volunteer time and energy provide studies on which the court can rely to enhance its various functions.

KEY ELEMENTS OF COURT AND COMMUNITY COLLABORATION

The diverse examples of collaboration exhibit how one model of court and community collaboration is unlikely to exist given the differences in court structures, the diversity of communities, the varying availability of resources, and the variety of problems that collaborations might seek to address. Several key elements, however, distinguish nearly all the collaborative examples. Considering the elements of these features is of critical importance to courts when embarking on a collaborative venture with the community.

- Judicial support is critical to both short-term and long-term success of collaborations and the institutionalization of a community focus into the overall business of the court.
- The nature of the community, and particularly the organized and mobilized segments of the community, establishes the tenor of the collaboration. The depth of community engagement varies substantially across programs and jurisdictions.
- Collaborations rely on an effective and imaginative use of resources — both the human resources represented by community volunteers and court staff, as well as the financial resources.
- Collaborations actively pursue a diversity of race and ethnicity, gender, age,

- linguistic background and perspective, and seek to ensure that participants in the collaboration are broadly representative of the community at large.
- Collaborations harness the power of community networks and derive strength from the linkages and knowledge embedded in local organizations and from resources existing in the community.
 - Collaborations establish durable yet adaptable structures, with many creating some kind of central management to enhance coordination. Collaborations work to set a clear process for succession of leadership and to be sufficiently flexible to adjust to changing priorities.
 - Most court and community collaborative mechanisms and activities occur through programs established within existing courthouses and court processes. What defines the unique nature of these courts is a commitment to treat the public as partners to improve the administration of justice.
 - Court and community collaborations successfully incorporate the requirements of judicial independence in their formal structure and day-to-day operating procedures. Judicial leadership in collaborations and in the community generally can be consistent with the principles of judicial independence.

Steps To Involving and Engaging The Community

Integrating collaboration into the work of a court requires many layers of careful planning and consideration of diverse issues. While the previous section took a general approach, this section focuses specifically on ways to involve and engage the community. A further explication of these and other issues is available in the *Guide to Court and Community Collaboration*. The steps to be explained in the following section include

- identifying participants,
- building on collaborative traditions,
- anticipating and responding to resistance, and
- creating community investment.

Identifying Participants

*"In Franklin County - and probably in most areas where similar initiatives are growing there is no single, static answer to the question, 'who is the community?'"*² This statement points to the difficulty of determining who should be involved in collaboration. In addition to including various representatives from the court (judges, managers, other court staff), collaborations also need to involve a broad spectrum of the community, including representatives from diverse racial and ethnic backgrounds, ages, and professions. Equally important is reaching out to other justice system players — law enforcement, probation, prosecutors, public defenders, and private attorneys (depending of the nature of the collaboration).

² From conversation with Lucinda Brown, Project Coordinator, Franklin County, Reinventing Justice Project.

When identifying community participants (such as when recruiting members for an advisory committee), the court may be inclined to gravitate towards recognized civic organizations (e.g., local chapters of the League of Women Voters, the NAACP, the Urban League, Chambers of Commerce, Rotary Clubs). While these stakeholder groups are key participants, care should be taken also to identify community members who may not be involved in these more structured community networks. Other potential sources to diversify recruitment include churches and schools. Jurors, victims, and other court users are additional groups that can be considered. Another important element to recognize in identifying potential participants is the issue of the linguistic and cultural diversity that volunteers performing tasks or serving on advisory bodies can bring to a program.

Volunteer recruiters for the juvenile conference committees in Hudson County, New Jersey specifically seek out a cadre of volunteers that mirror the linguistically diverse population of the county, which has a very high proportion of foreign-born residents. This policy, which is underwritten by state Supreme Court rules, is of both practical and substantive significance. Volunteers ideally are able to communicate with families involved in the program both in their native language and with a more culturally relevant perspective. As a practical matter, in the absence of the volunteers, the juvenile before the committee might be the translator permitting parents and committee members to communicate.

Since the Reinventing Justice process has been initiated in Franklin County, Massachusetts, it has worked to achieve broad inclusion and to incorporate the diverse perspectives of community members. These participants include those with only a limited knowledge of the courts (e.g., education representatives, human service providers), outside users of the system (e.g., lawyers, law enforcement), and court staff. The varied backgrounds of the participants promote the opportunity for individuals to learn from one another and to examine the court system from different points of view.

Involving the Community in Setting Priorities

When planning a court and community collaboration, consideration needs to be given both to the fundamental goals of the collaboration and how those goals will be established. Collaborations should seek several layers of outcomes. Some of the outcomes that collaborations strive to accomplish are

- contributing to an enhanced quality of life for the community and facilitating the reintegration of offenders into the community,
- enhancing the administration of justice by taking advantage of a broader base of ideas and information,
- improving the court's relationship with the community, and
- increasing public understanding of and familiarity with the courts.

At the heart of these outcomes, however, remains the net product of creating a different kind of court that is more responsive to the community it serves. Current efforts at collaboration primarily are found at a programmatic

level, but many of the programs are beginning to embrace more systemic goals. For instance, in Franklin County, Massachusetts the programs that have resulted from the collaboration are less important to the planners than the collaborative dialogue that has been initiated. As stated by Lucinda Brown, the Reinventing Justice Project Coordinator,

The court and community partnership in Franklin County has produced some well-defined projects and programs that individuals can point to as accomplishments. These programs are by-products, however, of a deeper success, which has been the construction of new two-way avenues for dialogue, for consultation, and for support that are encouraging a change in the local culture about the value of the court system in the lives of Franklin County citizens.

Ample attention needs to be given to the mechanism chosen for determining the focus and goals of a court and community collaboration. A natural issue or focus area may reveal itself in many jurisdictions, but various methods do exist to gather critical community input into problem identification or issue prioritization. For example, the Franklin County Futures Lab used town hall meetings as a forum for collecting community opinions about priority areas for reform in the justice system. Other courts have used public opinion surveys or focus groups to gather insights into community sentiments about the courts.

The most direct means of understanding the issues of importance to the community is simply by having the court become more accessible to the community. The court should find mechanisms to participate in community dialogue, such as attendance at community meetings and development of public education efforts that encourage two-way dialogue between court staff and the public (e.g., meet your judge programs and speaker's bureaus).

Building on Collaborative Traditions

An assessment of other community programs or traditions may provide insight into ways in which collaborations may develop. For instance, a court and community collaboration can derive considerable strength from the linkages and knowledge embedded in local organizations (secular and religious) and from resources existing within the community. Peacemaking in the Navajo Nation, for instance, draws upon the authority located in kinship ties and clan relatives to resolve disputes within a structure that is based on the Navajo religion.

Traditions may suggest collaborative mechanisms with which the community will already be familiar. Town hall meetings are a mechanism traditionally used to gather public opinion in New England communities. Therefore, they presented a comfortable forum to gather community input about the court system in Franklin County, Massachusetts.

Community proclivity towards public service may enhance the likelihood that certain types of collaborations will flourish in different communities. For

instance, the city of Norfolk, Virginia has a strong tradition of community boards into which the Citizen Advisory Council to the Juvenile and Domestic Relations District Court was a natural fit. In the absence of an identifiable community tradition, however, courts may be able to establish structures that promote the creation of such an environment.

For example the First Impressions Project in Los Angeles, California is rooted in a broader public outreach campaign by the court to connect to disadvantaged communities in Los Angeles, where strong collaborative sentiments do not exist. The project itself serves as a bridge to more expansive court and community involvement through building a foundation of collaboration and trust within these communities.

Anticipating and Responding to Resistance

Of nearly equal importance to identifying community supporters during the planning stage is determining who may be resistant, or at least hesitant, about moving towards the collaborative concept. Some careful attention should be given to any possible opposition and strategies that can be developed to attempt to avoid these conflicts. Incorporating not only supporters but also voices of dissent in collaborative dialogues should reap a beneficial outcome, particularly if initiated during the planning stage.

Examples of possible resistant groups include court staff, who may be unsure about how community collaborative activities will have an impact on their jobs (Will it mean more work for me? Will volunteers replace me?). Attorneys also may suspect community involvement will have a negative effect on their practice. Involving these special stakeholder groups more extensively and keeping them informed about program progress may relieve some anxiety in these examples. In Franklin County, Massachusetts, the leaders of the Futures Lab asked the question at meetings, "Who isn't here? Who should be?" As the circle gradually widened, the question was asked again at successive meetings.

Creating Community Investment

Creating community investment in court and community collaboration poses several key challenges. The first to be encountered may be how to develop program momentum. Momentum may occur naturally if the court and community collaboration arises around an issue currently of intense interest to the community. A danger of which to be aware, however, is that once people become involved, they will expect to start seeing outcomes and improvements — perhaps sooner than may be reasonable.

One option to help alleviate this problem is to build in an activity that has a high probability of success early in the process. A successful first endeavor will accomplish several things

- Participants will trust the process more because they have witnessed results.
- Participants will gain energy from completing a task successfully that contributes to the future momentum, and
- the success helps bring participants together (particularly when coming from different perspectives) and becomes part of their collective history on which they can reflect when tackling more difficult problems in the future.

For example when creating the Citizen Advisory Council in Norfolk, Virginia, the first project chosen for the Council was to investigate the development of a court appointed special advocate (CASA) program for child abuse cases in the Court. The project had two primary advantages — a high likelihood of success and a focus on an issue already of considerable importance to the Council members and the community. The project did result in the creation of a CASA program at the Norfolk court, and participants still recall fondly this first project they undertook together.

Another key challenge to be faced is finding ways to develop legitimate collaborations, where the community is not acting just as sideline observers. According to the Franklin County Futures Lab Project (1997, p.18), "The reality of the collaborative effort ... is that the courts need to create ways for the community to develop a sense of involvement."

Involvement of the community in the collaborative process and in the work of the court must be a reality, not just a spoken yet unrealized goal. The Peacemaking Division of the Navajo Judicial System shows this type of commitment as the family and extended kin are integral components of the peacemaking session. Their involvement represents the investment of the entire community in resolving the dispute and restoring the defendant to the community. Creating high feelings of investment will maximize the likelihood that the community will sustain its involvement over the long term. Oakland County, Michigan, promotes a considerable degree of community investment in its Youth Assistance Program. Local community boards are given a high level of autonomy so that activities and programming are well designed to match the needs of the diverse local areas in which the boards operate. The local autonomy also translates to a sense of local commitment and ownership that would not be achieved if the local programming was directed entirely from the county level.

Community investment also can be enhanced and the longevity of collaborations better ensured through developing relationships with community partners and maximizing resources, particularly in the context of increasingly limited resources. The Youth Assistance Program in Southfield, a municipality within Oakland County, Michigan, developed partnerships with local corporations to provide service programs for local youth. The Youth Assistance Programs of other municipalities in the county partnered with local branches of service clubs to enhance their programming (e.g. the Rotary Club and the Optimist Club). The Los Angeles First Impressions Project was able to rely on several institutional community partners, including a private transportation company, a private/public partnership that underwrites school trips, a private foundation, the Sheriff's Department, and Ticketmaster. Using these established community networks and leaders facilitates community investment in the collaboration.

VOLUNTEERS AS A CONSTITUENCY FOR THE COURTS

Court and community collaborations in their various forms rely heavily on volunteers. Involving volunteers can be rewarding for courts on many levels. In addition to the valuable assistance, volunteers can provide, volunteers can

serve as an informed and positive constituency for the courts. The Los Angeles First Impressions Project provides an opportunity to bring people from disadvantaged communities to involve them as volunteer docents at the court. It also helps to further educate them about the courts and ideally positive attitudes about the court system that are brought back to local communities. Volunteer participants in the program in Franklin County, Massachusetts, became an advantageous voice for the court in helping to secure funding for a new courthouse in the county.

Establishing an extensive volunteer program, however, requires careful advance planning and consideration of how the volunteers will be integrated into the work of the courts in a positive and genuine way. The following discussion highlights important issues that were revealed as part of the NCSC's field research. The discussion, however, does not exhaust all of the critical issues salient to volunteer management in the courts.

Volunteers often tend to be skilled and strongly committed to community welfare, so they are eager to make a substantive contribution to the work of the court. They are not cheap labor or rubber stamps for decisions made by others. Volunteer participants and court staff connected with the Norfolk Juvenile and Domestic Relations District Court Citizen Advisory Council remarked that much of the Council's success rests in having substantive projects to which the Council can devote its energies, as well as the court conveying the sense that it values input.

Emphasis should be placed on recruiting volunteers who have the desired commitment and skills and who are broadly representative of their communities. Oakland County, Michigan, uses a wide range of techniques to recruit their varied pool of volunteers, including ads in newspapers, on local television shows, on highway billboards, and through functions such as annual "bring a friend" recruitment receptions. For the Juvenile Conference Committees in Hudson County, New Jersey, area students from the local college serve as a prime source of volunteers, particularly from population groups in which the more traditional, older generations might be reluctant to participate in a process that supersedes parental authority over children. For the Los Angeles First Impressions project, a judge went to neighborhood block association meetings and meetings of other community organizations to explain the project and recruit volunteers from the target neighborhoods. This process resulted in the recruitment of volunteers who then became spokespersons for the courts in these minority communities that are often hostile towards the justice system.

Depending on the nature of the collaborative program, care also should be taken in screening volunteers. Volunteer programs in Oakland County, Michigan, and Hudson County, New Jersey, have had to develop extensive screening programs because their volunteers work one-on-one with young people. Screening may include a criminal background check, several personal reference checks, and personal interviews.

Training components also may be important, including both orientation training and "in-service" training that allow volunteers to acquire new and relevant skills. The extent of training programs may vary considerably

according to what the court and community collaboration is trying to accomplish. All participants should receive, at a minimum, an orientation to the court system and its various related components. Citizen Advisory Council members in Norfolk, Virginia, received a lengthy orientation to familiarize them with the court and the associated service-providing agencies. More extensive training may be required for more intensive volunteer collaborations that involve participants, for instance, in performing court functions (e.g., Juvenile Conference Committee volunteers in New Jersey decide the adjudication for certain juvenile offenders) or in mentoring relationships (e.g., Oakland County's PLUS volunteers). The juvenile-oriented programs in Hudson and Oakland Counties both exemplify well-developed, multi-level training curricula that orient volunteers to the program and also provide continuing education opportunities relevant to their volunteer work.

A final essential element in maintaining a strong volunteer base is volunteer recognition. Judges may underestimate the positive effect that their recognition of volunteer contributions will have. Oakland County holds a yearly volunteer recognition month and major event, attended by all the probate judges and the court administrator, to thank volunteers for their service. More importantly, the probate judges and court administrator travel the county on weekends and evenings to attend local board of director meetings and youth recognition and other events, continuously reinforcing the court's appreciation of the public participation and its commitment to Youth Assistance.

INITIATING AND INSTITUTIONALIZING COMMUNICATION AND DIALOGUE

Dialogue with the community should begin in the planning stage, but must be ongoing. An institutionalized mechanism should be created with the sole purpose of continuing a two-way dialogue in forums in which the community feels comfortable and is encouraged to express opinions. The most prevalent mechanism used is advisory committees. They create a forum where court staff and community members can interact to identify problems and strategies about collaborative solutions. The Midtown Community Court in New York has a community advisory board that meets regularly to identify, review, and evaluate community service projects, keep the court abreast of quality-of-life conditions in the community, and suggest new ways the court can address these conditions.

A Reinventing Justice Task Force

The trial judge and attorney who began the Reinventing Justice project in Franklin County, Massachusetts, first convened a small planning committee from the court and community to help formulate the mission statement for the project and to help identify stakeholders for a larger task force. A 38-member task force was then established, with representatives from a cross-section of Franklin County's service organizations, courts and community groups. The task force met regularly and functionally served as an approval board, with sub-committees that focused on specific issues and activities. Examples of Franklin County Task Force member affiliations include

- assistant director of Admissions, Community College,
- Bar Association past president,
- caseworker, Department of Youth Services,
- chief probation officer,
- clerk of court.
- Community College interim president,
- computer consultant,
- county commissioner,
- director of the Mental Health Center,
- district attorney,
- District Court clerk magistrate,
- District Court presiding justice,
- executive director, Chamber of Commerce,
- head law librarian,
- insurance executive,
- juvenile judge,
- Legal Services attorney,
- licensed clinical social worker,
- private attorney,
- Probate and Family Court justice,
- register of probate,
- sheriff,
- Superior Court presiding justice,
- Superior Court associate justice,
- state representative, and
- state senator.

When engaging in dialogues the court should be prepared to be open-minded and responsive to public attitudes. The community also must be cognizant of the realities of the judicial system, particularly the imperative of preserving judicial independence. The court needs to provide feedback to the community about realistic expectations for change. The feedback should encourage the community to recognize the scope of what the courts can do about a particular problem and raise awareness that the courts can not be expected to solve all the problems of society.

Communication and information flow also helps maintain a program by keeping all participants (including court staff and community representatives) engaged in the collaborative concept. Franklin County, Massachusetts produces a newsletter about their project, as does the Midtown Community

Court. Brochures and other literature are another way of conveying the common identity or "message" of the collaboration to participants as well as a broader audience. Each Oakland County Youth Assistance program creates its own brochures and informational flyers about its services. The Probate Court produces countywide brochures, a newsletter, and other informational materials (including a Family Fun Book highlighting recreational activities for families in the County).

Funding Collaboration

When trying to implement a court and community collaborative program, another likely challenge is overcoming perceptions that courts have available significant resources to undertake such an effort. Many people may be quick to jump to the conclusion that substantial additional funding beyond the court's budget will be required, and available, from such sources as national private foundations and federal grants. While these opportunities do exist, they are, as yet, severely limited. Among the examples that could be cited to the contrary is the massive effort to undertake, plan and implement the Midtown Community Court, which benefited greatly from these types of resources. It is unlikely, however, that other programs will be able to count on the continued outlay of capital demonstrated there.

These statements are not meant to sound discouraging, especially because the Midtown Community Court, which began as a public-private experiment, does not necessarily translate to the types of programs developing in other areas of the United States. Most efforts are more modest and do not require this magnitude of investment. Small seed moneys, or "coffee and doughnut" money as one program referred to them, may better represent the resources needed for many efforts to get started. Smaller grants from local community foundations are a possible avenue to assist with these limited expenses. A local business or university may donate other resources, such as office space and administrative support. For instance, office space was donated to the Franklin County Futures Lab in Massachusetts by the local community college.

Although a program may be able to "get off the ground" with these types of resources, program sites that exhibit considerable longevity have come to rely on direct, and often significant, court budgetary support of the collaborative programming. Mobilizing court resources to support the collaboration remains the most systematic way to ensure that collaboration does not become an "in-box" exercise for the court but becomes part of the court's operational identity. The incorporation of funding for collaborative activities is a significant sign that a court is moving towards a systemic orientation to court and community collaboration.

Joint Funding for Collaboration

Oakland County, Michigan, has designed a tri-sponsorship arrangement for its Youth Assistance Program in each local community. In addition to a significant appropriation of the Probate Court's budget to support the activities of the Youth Assistance Program, the school districts and town and municipal governments also contribute funding to support the efforts. The funding

arrangement provided the stability and predictability of support for the program that sustained it for a half century. It was intended however, to increase the sense of collaboration and partnership among all the local government agencies involved in the program. It also has the outcome of ensuring that the program is not viewed as an "add-on" responsibility for the Probate Court, but as an integral part of the work, and identity, of the Court.

THE FUTURE OF COURT AND COMMUNITY COLLABORATION

Benefits from Collaboration

The benefits of court and community collaboration have been demonstrated. Collaboration solves problems for courts and for communities effectively and efficiently. Collaboration offers trial courts resources necessary to adjudicate new types of disputes, and enhances public understanding of and support for the courts. Communities gain a new tool for addressing local problems, by combining the teeth of court sanctions with the power of community networks and knowledge.

Public participation also adds an important dimension to the work of the courts. This follows from the difference in how lawyers and the general public tend to view disputes. Lawyers approach a dispute impersonally through the application of rules and logic. The public tends to approach a dispute on a more emotional basis, valuing harmony and the continuation of relationships, even where logic might point to another outcome. Court and community collaboration, therefore, is conducive to a more balanced consideration of solutions to problems than is likely to occur when the task is left to lawyers alone. Through much the same process, collaboration provides judges and court staff with a greater empathy with the concerns of minority groups.

Achieving a Balance between Collaboration and Independence

Court collaboration with the community must be consistent with the role that our system of government allocates to the judicial branch of government. The judicial branch is explicitly charged with preventing tyranny by the majority and with protecting the Constitutional rights of individuals. To serve that vital function, courts as institutions and judges as decision-makers in individual cases must preserve their independence. The imperative of judicial independence necessarily affects the shape and nature of the participation by courts in collaborations with communities or with criminal justice agencies in community justice initiatives. The eight collaborative programs that we profiled have achieved a balance between the responsibilities of the courts and granting a meaningful role for the community in the court system. How can future collaborations strike an appropriate and viable balance and enhance the contribution to both the courts and the community?

Some pointers emerge from the court and community collaborations the NCSC has studied. First, the ground rules and boundaries associated with any collaboration should be clear and mutually acceptable from the start in terms of what is and what is not on the table. In practical terms, this means that court and community collaboration does not occur at the expense of ultimate court control over court operations and decisions in individual cases. Court

and community collaboration cannot violate the constitutional and statutory framework within which the judicial branch operates. Each court and community collaboration should define in advance the areas of autonomy being retained by the court and the areas of autonomy being retained by the participating community organizations. By definition, however, collaborations involve some sharing of power between the court and the community.

Second, community participation should not be limited to specific individuals or groups. The community should be defined in the most inclusive sense possible. Participation by organizations and individuals from all racial, ethnic, and income groups should be actively and continuously pursued.

Third, obtaining support and funding for particular court and community collaborative ventures should not violate judicial ethical canons. Non-governmental funding and sponsorship for a court and community program should be collected and administered in a way that does not link program results to any particular interest group. In this way, court and community collaborations will not result in the unfair distribution of power and influence among community participants.

Fourth, court and community collaborations should not proceed without regular monitoring of their effectiveness. When possible, an independent, outside evaluator should be retained for this purpose. The criteria for terminating a collaborative program should be specified at the start and reviewed periodically.

Fifth, court budgets and the allocation of judicial and staff time should not unduly restrict the potential for meaningful participation in court and community collaboration.

The Future of Courts in Community Justice

As has been described in this chapter, trial courts and communities are experimenting with collaborative programs as a comprehensive response to forces that undermine public respect and support for the courts and to economic and social problems facing society. While most court and community collaborations remain local and are applied to a segment of a court's caseload, the ethos of collaboration is influencing how entire courts and state court systems think about their mission. The collaborative philosophy in many courts is emerging concurrently with other efforts that place particular reliance on the community as the mainspring of effective criminal justice. Community corrections is a concept of some longevity; community policing has entered its second decade; and community prosecution is continuing to spread in its application. The contemporary concern is how local jurisdictions can merge these initiatives into a coherent community justice program. For trial courts and the judicial branch generally, this presents an opportunity and a challenge. The opportunity is to benefit from the momentum and the resources that other parts of the justice system have achieved in the community arena. The main challenge is to create processes and protocols through which courts can participate in coordinated community justice programs and also preserve the reality and appearance of being an independent branch of government. Existing court and community

collaborations point the way to divisions of labor and forms of participation that allow judges and courts to be leaders in the criminal justice and general community.

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COMMUNITY PROSECUTION

Heike P. Gramckow
Director

American Prosecutors Research Institute

Rhonda Mims
Senior Attorney

American Prosecutors Research Institute

...community prosecution is not a program — guided by clear-cut procedural rules, prescribed-in-advance interventions, uniformly applied across neighborhoods or similar situations, and administered in a stable administrative environment. Nor is it a mere collection of tactics and strategies that, once proved, are routinized ... This new arrangement for dealing with crime and order requires stouthearted executives willing to delegate a lot of authority to line operatives who work in the field out of their sight — but in public view.

Barbara Boland, Visiting Fellow
National Institute of Justice
(Boland, 1997, p. 65)

INTRODUCTION

Since the early 1990s, prosecutors throughout the United States have developed a variety of community-oriented responses (Gramckow, 1995). Just like police departments developed different models of community policing, the efforts developed by prosecutors vary depending on their communities' needs. In some places community prosecution is little more than simple organizational adjustments in response to community policing, while in others prosecutors assume a proactive role in working with the community and others to assure neighborhood safety (Gramckow, 1997a; Jacoby, Gramckow, and Ratledge, 1995; American Prosecutors Research Institute [APRI], 1995).

A few prosecutors opted for decentralization of the entire office (e.g., Montgomery County, Maryland, Kings County, New York) with various successes. Some created special units (e.g., Portland, Oregon and Indianapolis, Indiana) or focused on special types of crime (e.g., Middlesex County [Cambridge], Massachusetts) (APRI, 1994). In other jurisdictions, (e.g., Kansas City, Missouri and Baltimore, Maryland) the efforts created may not be defined as "community prosecution" but still represent the core of this approach by involving community members and other organizations in identifying community problems and developing coordinated responses to solve these problems.

The jurisdictions that are experimenting with the community prosecution concept range from large metropolitan areas to mid-size cities and suburban and rural counties. While community orientation has been firmly established in approximately a dozen prosecutors offices throughout the United States,

many more are currently developing such efforts or are interested in learning more about its requirements and value. Despite this growing interest, the percentage of offices that are currently practicing community-oriented efforts is minimal considering that close to 2,850 prosecutors offices exist throughout the United States.

The main reason for this limited implementation of a promising concept to increase community safety is the limited understanding of what community prosecution means for prosecutors' offices and their communities, how it differs from traditional prosecution, and what changes it requires.

A closer look at the various community prosecution initiatives established shows that, despite their differences, these efforts all share a number of common factors

- These prosecutors no longer focus on just processing cases that are brought to their attention. They recognize that criminal procedures alone do little to break the cycle of crime and violence. Instead, people feel safer and criminal activity declines when a neighborhood's quality of life improves.
- To reduce the onset of crime, prosecutors pay attention to less serious violations, such as vandalism, littering and loitering; assist their communities in creating safer neighborhoods; and reach out to schools and other community institutions to coordinate prevention activities (Gramckow, 1997b).
- These prosecutors work closely with the community and other agencies in identifying problems, applying traditional criminal justice responses in combination with alternative modes to resolve conflict and prevent the occurrence of crime in the first place (Cole and Earle, 1997).

In sum, community prosecution means redefining the role of prosecutors in a community by emphasizing community safety through prevention and education, in addition to the traditional law enforcement role, and by stressing a problem solving stance (Goldstock, 1991).

WHAT IS DIFFERENT ABOUT COMMUNITY-ORIENTED PROSECUTION?

Considering the fact that prosecutors in the United States are elected officials charged with upholding law and order and assuring justice, many practitioners find it difficult to understand how community prosecution differs from their traditional work. Community outreach and involvement have always been a part of the elected prosecutor's work. As elected officials, prosecutors regularly communicate with the public — their constituency — and participate in numerous civic, educational, and prevention efforts.

Furthermore, geographic assignments and decentralization that often are touted as essential for community-oriented work are not just a trait of community-oriented efforts. Several large jurisdictions established satellite offices years ago because it was organizationally more sound to locate prosecutors throughout the city close to the different courts in which they were working.

What makes community prosecution different, however, is that prosecutors not only listen to the community, but crime and order problems in specific

geographic areas are identified and analyzed in cooperation with the community and other government agencies. Also, cooperative problem solutions are developed that go beyond the traditional criminal responses of arrest and prosecution (Gramckow, 1997a; APRI, 1995).

Community prosecution is a grassroots approach to law enforcement and community safety. It complements the concept of community-oriented policing, community corrections, and community-oriented efforts of other justice and social services agencies by utilizing traditional and non-traditional initiatives to work within a targeted community to prevent and respond to crime. Community prosecution targets problems often within specific neighborhoods and involves a long-term, proactive, committed partnership between the prosecutor's office, law enforcement agencies, the community, and other public and private organizations that provide services needed to solve existing neighborhood problems. To assist in efforts of community problem solving, the prosecutor's office may take on different roles in community partnerships ranging from actively supporting community efforts, to leading these approaches by acting as a problem solver to improve public safety in an effort to enhance the quality of life in the community.

The basic premise behind the concept of community prosecution is to assure that responses can be made to various community priorities. Or better, that communities can work with the office to target existing problems. Such an approach requires familiarity with neighborhood issues and the ability to adjust justice responses accordingly. This may be achieved by assigning assistant prosecutors to working solely on cases from a specific geographical area, such as a neighborhood or police district. In doing so, the assistant prosecutor assigned to a specific area can become familiar with the neighborhood, its dynamics and problems. As a result, it is argued that the prosecutor will be better informed about the actual case background and better understand the impact of the criminal act and criminal justice response on the offender, the victim, and the neighborhood. Because the prosecutor is better informed s/he is able to provide the trial judge with relevant information usually not available to the court, thus, facilitating more informed judicial decisions.

The common denominator in all community prosecution programs is that prosecutors operate in response to community needs. Problems can be identified through analyzing crime patterns and socio-economic data and by attending community meetings and listening to the concerns of neighborhood citizens. Through close communication, community members can develop a better sense of the criminal justice system, feel that they are an active part of the process and begin to develop more trust in the system (Jacoby and Gramckow, 1993).

REDEFINING THE PROSECUTOR'S ROLE AND ITS LIMITS

The experiences made by the few innovative prosecutors in the United States who have embarked on community prosecution show that these efforts require some changes in the structure of the office and reallocation of resources. In addition, it may well be that staff with different skills are needed

and the proactive approach of these offices requires some data and information collection that is usually not available in a prosecutor's office.

More important than any logistical consideration is the issue of whether prosecutors want to assume a proactive leadership role in the community. Some may argue that it would be presumptuous for prosecutors to take a prominent role in crime prevention and community problem solving. They may maintain that other agencies, such as the police, the courts, schools, and child welfare are responsible for such efforts. Even if it is true that cleaning up an overgrown vacant lot will reduce crime, is it not the sanitation or parks department responsibility to take action? If the expansion of community services is desirable, is it not for probation to consider such change? It may be viewed by some that prosecutors are "meddling" in other agencies' business if they engage in some of these activities. However, the heads of these agencies may find that the prosecutor can be a powerful ally and a beneficial community partner (Goldstock, 1991).

Because most prosecutors in the United States are just experimenting with this new strategy, the role of the prosecutor in these efforts has not yet been clearly defined and the limits of its influence on community affairs have not yet been established. It appears that prosecutorial responses may be affected by the type of community policing philosophy adopted by law enforcement agencies. But, at the same time, prosecutors have adopted their own community related philosophy independent of the police's. As an elected official, the prosecutor has the power to "sell" alternative, non-traditional responses to the public, enlist other government agencies in this community effort, and educate judges about the importance of a case to the community. Actually, the more traditional a prosecutor is, the less likely community prosecution will be accused of being just "soft on crime" and increases the likelihood that cooperation of other agencies and a broader section of the community will be present.

At the same time, some questions arise about the boundaries of prosecutorial involvement with the community. The issue of a prosecutor receiving funds from private individuals or organizations for their community work is one that requires clear policy statements and direction, as well as a clear understanding of what the private groups or organizations can expect as a result of their support.

EFFECTIVE COMMUNITY PROSECUTION PROGRAMS

While interest in community prosecution is increasing, few prosecutors have been willing to commit the energy and resources required to change operations based on community needs. The following offices are among the few that have successfully arranged office structures and operations to maintain an effective community prosecution program over a period of time.

Marion County Prosecutor's Office, Indianapolis, Indiana

Marion County, Indiana, is a metropolitan area of approximately 750,000 residents that includes diverse racial and socioeconomic neighborhoods. It shares the social and budget problems common to all large urban centers in

the United States. Increasing drug activity and violent crime required different responses from police, schools, other parts of the criminal justice system, and government agencies.

Following the example of the police, the groundwork for a community prosecution program was laid in 1993. The Marion County Prosecutor's Office committed one experienced deputy prosecutor to work in the city's North District where police were committed to community-oriented work and where several established and active neighborhood associations were dedicated to fight a significant drug problem in areas much in need of rehabilitation.

Two days per week the Assistant District Attorney worked out of a police station and focused on case screening, filing of arrests and warrant requests, liaison and training responsibilities for police officers, establishing relationships with existing neighborhood groups, creating a legal education program in public schools in the district, and developing proactive crime prevention programs tailored to the needs of specific neighborhoods.

A proactive approach to crime prevention and community intervention also was emphasized, as well as the creation of closer relationships with other governmental agencies, law enforcement, and neighborhood organizations. The key to the program is information-sharing, communication, problem-solving, and increasing access — to and availability of — prosecution programs in the neighborhoods. A major emphasis is placed on targeting high-risk neighborhoods and offenders in those areas and working with law enforcement and affected neighborhoods to create innovative strategies such as thorough investigation, aggressive prosecution, and crime prevention. The main goal is to improve the quality of life in these neighborhoods through a combination of traditional law enforcement, community outreach programs, and prevention efforts.

Middlesex County Community Based Justice Program (Cambridge, Massachusetts)

Another promising approach was developed by the Middlesex District Attorney's Office Community Based Justice Program (CBJ). Originally, this effort was initiated as a community based justice program after the homicide of a student who was shot on the way home from school. The area where the student was walking was plagued by gangs, transients, and prostitutes. At the time, one of the district attorney's primary concerns was to make sure schools were safe. There are four basic tenets to the program, each is a departure from business as usual

- The criminal justice system can address the problem of youth violence only if serious cases are prioritized for prosecution.
- All social institutions with information about young people headed for trouble — schools, police, prosecutors, probation, youth and social service organizations, and community members — must share information to identify individuals most likely to pose a threat to the community, to divert less serious offenders into alternative programs, and to intervene early to prevent of problems.

- The criminal justice system must focus on the offender, not simply the specific offense, and impose individualized sanctions that are designed to prevent further anti-social conduct.
- The criminal justice system must impose increasingly serious sanctions on a young offender who continues to commit offenses.

A community task force exists in each of the participating communities of the Middlesex Community Based Justice Program. The task force represents the heart of the program. Each week, the members of the task force — school officials, police, prosecutors, probation officers, corrections officials, youth service and social service professionals and in some cases, community representatives — meet to share information about what is happening in their community. The meetings are working sessions, focusing on specific events and particular individuals whose conduct poses a threat to schools, neighborhoods, and communities. In a typical meeting, police may report what they know about a particular criminal event and surrounding issues. School representatives address incidents that happened — or they fear may happen — in and outside of the school. Prosecutors report on the status of court cases involving individuals who have been identified by members of the task force as deserving special attention. Then members of the task force share information about particular offenders and work to reach a consensus about what should be done to address a particular young person's anti-social conduct.

The task force ensures that the criminal justice system works at its best, not its worst, when it deals with individual offenders. This means that the District Attorney's Office does not seek maximum sentences in every case, but seeks to impose what the members of the task force believe will be sufficient to deter future anti-social conduct. If, however, the young offender does not respond to that initial, less severe sanction and commits a new crime, the district attorneys' office, generally with support other task force members, will not hesitate to apply the full weight of the justice system.

Most of the work of the Middlesex Community Based Justice Program involves reaching out to young people at-risk to offer them alternatives to crime, violence, and gangs. The goal is to partner with other agencies and tap existing community resources. For example, the District Attorney's Office has worked with the Cambodian Mutual Assistance Association to keep Southeast Asian teens in school. The community task force also works closely with the police department's community policing program, providing opportunities or activities as alternatives to violence for young people in the city's parks and playgrounds. And, police officers and high school vice principals walk the streets on weekend nights, ensuring that young people know that the school and the police are working together to keep the schools, the neighborhood and the community safe (Reilly, n.d.).

Travis County Community Justice (Austin, Texas)

The Community Justice Program in Travis County was implemented as an effort to reinforce the community by forging a partnership between local

governmental entities, the private sector, and community groups. It consists of a network of programs designed to increase cooperation, coordination, and collaboration among and between citizens, their local governments — city, county, and state — and private enterprise. Government involvement in the program is through the Community Justice Council, which consists of ten elected officials, including prosecutors, legislators, city councilman, school board members, and judges, who formulate the community justice program for Austin and Travis County. The Council is advised by the Community Justice Task Force, which consists of 15 appointed officials, including the chief of the Austin Police Department, the superintendent of the Austin Independent School District, and the directors of the Juvenile and Adult Probation Departments. The Neighborhood Protection Action Committee, which consists of 25 citizen activists, connects the Council and the Task Force to the community.

The district attorney has assigned 15 prosecutors and other staff members to work on many of the existing initiatives. The office also received funding for a Community Justice Planning Manager to help coordinate, research, design, and facilitate many of the community justice/community prosecution initiatives.

The office is committed to incorporating problem solving or problem-oriented prosecution throughout the entire office. To this end, small group interactions within the office provide a forum to discuss how this paradigm can be integrated in every division's work. Additionally, the office participates in collaborative problem-solving training with community members to learn how to become more effective in establishing partnerships and working with the community on solving crime problems in their neighborhood.

One innovative program initiated is a new Gang Civil Injunction Program. A team of four attorneys works on utilizing a unique enforcement tool — i.e., civil injunctions — to have an impact on gang behavior and crime. The civil injunction allows them to sue members of gangs who are committing crimes and generating fear in the target neighborhoods. The injunctions can prohibit gang members from gathering, throwing gang signs, being in possession of spray paint or markers, and engaging in other behaviors that further criminal activity. By partnering with the Austin Police Department and the community, the prosecutors will be able to develop strategies that will help empower the community and develop a maintenance plan to ensure that the citizens of the neighborhood remain in control. Additionally, the prosecutors are actively involved in identifying needs and assessments of intervention/prevention programs available to youth gang members. The office is interested in providing immediate support/referral services to juveniles and their families who have been named in the injunctions to reach those kids who can be reached. Further, the office is researching ways to incorporate the community in assessing punishment to those who are arrested for violating an injunction (Earle and Gay, 1997).

Multnomah County Neighborhood District Attorney Program (Portland, Oregon)

In November 1990, the district attorney in Portland began exploring ways in which the services of his office could respond more effectively to local quality of life issues. Since that time, a coalition of public and private efforts has funded neighborhood district attorney positions to address public safety and quality of life issues in the county's business and residential districts. Prosecutors along with residents of various neighborhoods and members of business and community groups developed several ways of improving life in targeted communities (Free and Weinstein, 1996).

The Multnomah County Neighborhood District Attorney Program is currently in place in six geographical areas within the jurisdiction. In addition, one deputy district attorney is assigned full time to Tri-Met, the local public transit agency.

The Neighborhood District Attorney Program is designed to solve community crime problems by assigning a deputy district attorney to a specific geographical area with the responsibility of identifying the major public safety problems in the area; the key individuals, groups and organizations wanting to improve the area, and the existing resources within the community that can be used to resolve the problems. The goal of the Portland, Oregon, Neighborhood District Attorney Program is to improve the quality of life within the neighborhood or business district. This is accomplished by developing and implementing long-term strategies that confront "maintenance and order" crimes such as theft, vandalism, and public disorders, along with more traditional crimes.

The Neighborhood District Attorney Program expands the boundaries of the prosecutor role by focusing on solving crime patterns rather than on individual cases as prosecution is traditionally done. The activities a deputy in the Neighborhood District Attorney Program performs are wide ranging. They include reviewing criminal cases originating in each district, identifying priority crime issues within the district, and working with multiple public safety groups and committees within each district on specific crime issues. The deputies have developed partnership agreements among public and private organizations that define responsibilities and actions for partners within districts. They provide extensive training to police officers, private security personnel, and citizens groups. Issues covered include trespass laws, report preparation, restraining orders, and other legal tools used by the criminal justice system. The deputies perform a similar role for business owners and managers by consulting with them on potential solutions to local crime problems. Neighborhood district attorneys also work with community groups on public policy issues such as weapons in schools, restrictions on sales of alcoholic beverages in neighborhoods, and nuisance abatement ordinances (Schrank, n.d.).

WHAT ARE THE EFFECTS OF COMMUNITY PROSECUTION TO DATE?

While there is little systematic information available on the impact of community prosecution on the office, other agencies and the targeted

neighborhoods, it has been reported that the same issues have surfaced and similar outcomes can be expected in community prosecution as they have in community policing.

First, a number of effects on agency operations can be noted. These programs have the potential to change the nature of work flowing through the criminal justice system and the demand for criminal justice services. When the office concentrates on a problem, cleans up areas, and gains citizen trust, the number of lower-level crimes reported rises. Most offices experienced increases especially in the issuance of citations, misdemeanors, and ordinance violations, triggered by the community's call for enforcement of quality of life issues. By emphasizing crime prevention and problem solving, community-oriented prosecution may increase the need for procedures to handle dispute resolution, diversion, treatment, intermediate sanctions and other non-traditional sanctioning responses. These activities may also impact the caseloads of other agencies that provide services essential to improving the quality of life in neighborhoods (e.g., housing and zoning, parks and recreation, sanitation, youth services).

Prosecutors who established community prosecution efforts generally stress the positive impact on the neighborhoods they are working in and on the working relationships with other parts of the criminal justice system. There exist, however, only a few program evaluations that examine various aspects of the prosecutor's involvement in community-oriented programs (Kelling and Cole, 1997; Boland, 1996; Jacoby and Ratledge, 1994) to inform practitioners about the value of these efforts. The limited information available points to positive outcomes, but no solid empirical information is currently available.

WHAT IS THE FUTURE OF COMMUNITY PROSECUTION IN THE UNITED STATES

The currently increasing support for community-oriented and alternative responses to crime and community problems provide an indication that community prosecution efforts, existing in different shapes and with various scopes are likely to gain more and more support and application throughout the United States. The U.S. Department of Justice currently supports the development of a community justice initiative that focuses on developing coordinated community-oriented responses that involve the entire criminal justice system (Reno, 1997). At this time, community policing has gained so much credibility in the United States that it is not likely to disappear, thereby providing prosecutors with incentives to develop procedures and policies that coincide with this different policing approach. Accordingly, it is highly probable that community prosecution is going to be a part of the future trend in prosecution in the United States. As we look to the future, it is obvious that this non-traditional approach to prosecution and community activism holds the promise of exciting and innovative results that, for some prosecutors, may offer another alternative to confront some of our more pervasive criminal justice problems.

The popularity of community policing is still growing and so is the interest in new ways to improve prosecutorial and court services to better serve the

community. It is especially important, in light of this growing interest, that the impact and responses engendered by prosecutors and courts be better understood. Because community-oriented work has the potential to positively change staff attitudes towards their work, to improve perceptions and attitudes in parts of the community, and positively have an impact on fear of crime and reduce certain crime rates, there is a lot of incentive for all criminal justice agencies to develop such strategies for their jurisdiction (Mastrofski, Worden, and Snipes, 1994; Uchida, Forst, and Annan, 1990).

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TRANSITIONS TO COMMUNITY JUSTICE — PERSONAL PERSPECTIVES

The chapters in Module III are personal accounts provided by both adult and juvenile justice practitioners who have experienced, or are experiencing, the transition to community justice in their jurisdictions. The module provides a glimpse of a select few authors' individual perspectives on specific programs and practices that have been implemented in Boston, Deschutes County (Oregon), and Vermont. Also included within this module are personal viewpoints on the concept of community justice and the changing and evolving role of community corrections' practitioners.

In particular, Module III offers an inside look at what can be accomplished when communities are invited to participate as partners in the justice system. This module will provide information on experiences encountered such as:

- sharing the information and power base,
- building partnerships between probation and police departments,
- community involvement in sentencing boards,
- the process for determining the role and responsibility of a community justice liaison,
- changing the mission of community corrections to community justice, and
- building hope for the future.

AMAZING GRACE (AND THEN SOME): REFLECTIONS ON THE BOSTON STRATEGY

Ronald P. Corbett, Jr.

Second Deputy Commissioner
Massachusetts Probation Service

If everyone who offended was forcibly removed from the community because of the offense, almost everyone would have to move sometime, and 'justice' would be the main cause of mobility....a view of community justice that does not regard separation of offenders as its main function more closely approaches the ideal of justice. It treats offenders, victims, and their neighbors as dependent on one another in their pursuit of a good life. Crime is a powerful attack on the quality of life, so responding to crime in a way that helps the community recover and strengthens community life is the most profound task of justice. To do so without unnecessarily wrenching offending citizens from their communities, but instead rededicating their behavior to a safer community, is the goal of community justice.

Todd R. Clear and Ronald P. Corbett, Jr. (1997, p. 71)

INTRODUCTION

Sometimes success can be as bewildering as failure. Correctional professionals are accustomed to false starts, blind alleys, and disappointing outcomes. The problems we attempt to address (criminal behavior and its attendant pathologies) do not yield easily to our most strenuous and inspired efforts. We press on in the face of this stubborn intractability.

Accordingly, when things do work out — and especially when they exceed our most optimistic projections — we are stunned. William F. Buckley, Jr., arch-conservative publisher and columnist, once ran a quixotic campaign for mayor of New York City. Asked what his first step would be if elected, he replied “I’d demand a recount.” We know how he feels.

But sometimes you just have to take “yes” for an answer. So it has been for those involved in what has come to be known as the Boston Strategy, an array of strategies and interventions aimed at reducing youth violence in the city. Launched in the wake of dramatically escalating rates of youthful homicide, this multi-agency initiative has, by general agreement, been a surprisingly effective effort as measured by official statistics on homicide and gun-related violence. Having hoped for some impact but not expecting impressive results, the partners in the strategy have found it as difficult to explain their success coherently and specifically as it was to design and implement the strategy in the first place.

We have gotten better at it; we have discerned the pattern in the carpet ever more clearly. And we have tried to be helpful to dozens of jurisdictions who are anxious to learn what happened and how they can emulate it back home.

This article aims to provide a partial answer, in narrative form, to these now familiar inquiries. The following section presents an overview of one major element in the Boston strategy, a probation-based initiative dubbed by its founders, as "Operation Night Light." In the next section, some of the context, operations, early experiences, and eventual results of Night Light are presented. Afterwards, I will identify six major lessons learned about the nature of youth violence, the strategies that seem to avail against it, and the agency, community and political dynamics that such efforts unleash.

In the concluding section of the paper, some tips on replication are offered, combining what may be helpful hints with important cautionary notes. Though sound and empirically tested programs can "travel to other jurisdictions," their exportability can be exaggerated since so much of what we attempt is bounded by local circumstances and subcultures, defying the notion of "one size fits all" interventions. What counts is grasping the principles at work in any successful effort and customizing them to a new site rather than transplanting a program in its entirety to an often significantly different time and place.

OPERATION NIGHT LIGHT — HISTORY, OPERATIONS, AND IMPACT

In the early 1990's, communities across the country were experiencing a worrisome surge in serious violence committed by juveniles, reflected in increasing numbers of homicides committed by teenagers. In the face of this disturbing trend, these same communities searched for policies to stem this bloody tide. The problem became more urgent in the face of predictions from Professor James Fox of Northeastern University, among others, who foresaw a major increase in juvenile violence occurring by the end of the decade due to changing demographics (Fox, 1996).

In the late winter and early spring of 1988, Boston began to experience the first effects of a developing network of rival and violent youth street gangs. Boston Public Schools security personnel saw the emergence within the schools and documented the first list of gangs and individual gang members and the schools they attended. The list described loosely federated groups organized around very specific territory. These gangs started what has become the custom of gangs naming themselves for the street or public housing development in which the members live.

As the police department struggled for a strategy, gang activity and its effects grew more serious. The summer brought horrific shooting incidents on the street during daylight hours, with rival gang members gunning each other down in drive-by and ride-by shootings. In August 1988, the city's attention was riveted to a "ground zero" in the gang violence explosion, the intersection of Humboldt Avenue and Homestead Street in Roxbury. Twelve year-old Darlene Tiffany Moore was shot in the head and killed by crossfire. As she sat atop a mailbox, talking with friends, rival gang shooters transformed her into a "mushroom" (the gang jargon for an innocent victim) and a symbol of the horror.

According to the Office of Strategic Planning of the Boston Police Department (Boston Police Department, 1998), Boston, a city that experienced

75 homicides and 5,920 aggravated assaults in 1987 would see 95 homicides and 6,291 aggravated assaults by year's end 1988. Homicides would reach an all-time annual high of 152 in 1990. Aggravated assaults reached the decade-high peak of 6,960 in calendar 1990. Eighteen of the homicide victims in 1990 were age 17 or younger (J. Jordan, personal communications, May 12, 1998). "Crack" cocaine arrived on the scene around this time, attracting the developing gangs to become distributors of this highly profitable product. Traffickers in semi-automatic handguns also identified a potential market and began running guns to the emerging gangs.

Gang behavior in the courthouses grew bolder in this period. Court officials describe regular disruptions in the courtrooms and corridors, intimidation of witnesses, and attempted intimidation of staff. One justice in the Dorchester District Court made headlines with a call for assigning the National Guard to secure the courthouse. Probation officers began to identify and catalogue gang colors and individual gang members and their affiliations.

Led by then patrol chief and now Commissioner Paul Evans, the police department's management searched for alternatives in the face of the growing numbers of shootings and homicides. By Spring 1990, a new strategy was ready to take the streets in the form of the new Anti-Gang Violence Unit.

A proper understanding of Night Light — and what it adds uniquely to the criminal justice arsenal — depends on placing it in the context of the traditional practices of probation. Probation is both a sentence and a status. As a sentence, it constitutes far and away the most popular option in use. Nationally 60% of all offenders under correctional supervision are on probation (BOTEC, 1996). The corresponding percentage in Massachusetts is 69%. Offenders placed on probation are on conditional liberty, free to remain in the community provided that they comply with any conditions of their probationary status set by the sentencing judge. Common conditions include avoiding subsequent arrests, reporting to a probation officer, not leaving the state without permission, and, commonly, paying restitution and obtaining substance abuse counseling or other relevant treatment.

For younger offenders, some judges had traditionally imposed curfews, although this practice had waned during the 1980s and early 1990s due to difficulties with enforcement. Parents were not as cooperative as they once were, probation officers became comfortable with nine to five schedules, and they also were weary of returning to high crime areas in the evening.

The Genesis of Night Light

The building blocks of what would become Night Light were created with the fielding of a new Gang Unit within the Boston Police Department. Probation officers Bill Stewart and Rick Skinner and Gang Unit Detective Bob Merner set the first block in place with a corridor conversation in the summer of 1990. Realizing they were watching the same youthful offenders from two different points on the perimeter of the "revolving door," they and others from both agencies began to brainstorm new forms for collaboration. As Dorchester Chief Probation Officer Bernard Fitzgerald reported, "We began seeing the same Gang Unit guys in the courthouse every single day for four months."

Using the intelligence from their contacts with the Gang Unit and information developed from their interactions with gang members, probation officers began asking judges to include curfews and area restrictions in conditions of probation. It was expected that this escalation in the intensity of supervision would lower the number of violations for new arrests as compliance with curfews and other collateral conditions of probation improves. This escalation in enforcement strategy was a product of the recognition that high-risk offenders required a “short leash” and would take advantage of any laxity, as well as the realization that the deterrent effect of curfews — and the associated compliance rates — would be predicated on strict enforcement.

On their own Fitzgerald, Stewart, and Skinner began to move away from the existing model of probation by getting away from their desks in the courthouse. They began approaching probationers on the street, who all but rubbed their eyes in disbelief at the sight of their probation officers on their turf. In August 1991, Stewart wrote a memo to District Judge James Dolan, recounting his witnessing open drug dealing by one of his clients at 2:00 p.m. on a residential street in the district. Judge Dolan, an early supporter of the collaboration, became an even more determined backer of methods to ensure that probation would have teeth.

Police officers began to see probation as a powerful deterrent and began to carve out for themselves a new role in deterrence. As one Boston Police Department detective said,

“Well I used to watch people walk out of court with probation as the end result, I said “That’s B——!” But I can see now what good, supervised probation can do - it sounds corny - for the community. I’ve seen gangs decimated from a particular neighborhood only because of supervised curfews and area restrictions. So again, as I touched on before, I know so much more about probation as a tool.”

Informal contacts continued to grow and yield results. On November 12, 1992, “Night Light” started — and Boston began its work toward a strategy of community corrections — when Stewart and Skinner got in the back seat of a police car with Merner and partner Bob Fratalia.

Operations

A typical evening in Night Light would include the matching of a one- or two-person probation team with a similar team from the Gang Unit. The team would meet at Gang Unit Headquarters to prepare for the evening’s work. The probation officers involved would have identified some ten to fifteen probationers they want to see that evening, concentrating on those cases thought to be “active” on the street at a given time or on those who have been slipping in terms of their compliance with probation conditions. Operating in an unmarked car and in plain clothes, these teams would proceed to the first scheduled curfew check. The police team is responsible for safety issues and

is sensitive to the manner in which the home is approached and also to exit areas, should the probationer seek to evade the contact. Once the security issues, which are not monumental in most cases, are addressed, the probation officer(s) will approach the door and seek entry. Once inside the home, the contact proceeds as would any typical probationary home visit. Every effort is made to ensure that the parents and other family members are not alarmed by the presence of probation and police officers and courtesy and a friendly manner are emphasized.

The purpose of the visit is to ascertain whether the probationer is home in observance of the curfew, to reinforce the importance of strict observance of all conditions, and to inquire of any parents present about the behavior of the probationer, both in the home and in the community. After those basic objectives are accomplished, and any other issues of concern to any of the parties are addressed, the team will thank everyone for their cooperation and go on to the next scheduled contact.

It is not uncommon for a team to stop at a park or street corner where youth are congregated to determine whether any probationers are present and also to demonstrate to the youth of the city that the probation and police departments are working together in the evening and are interested in the whereabouts and activities of young people on probation. We have learned that word spread fast that there is a new mode of operation in probation and a new level of jeopardy for those who would ignore their probationary obligations.

Costs and Benefits of the Program

The partnership between probation and the police was sustained because both sides were reaping tangible and significant benefits. From the probation point of view, the presence of the police makes it possible to enter the most crime-ridden areas of the city into the late evening. That is, the police provide a high degree of security for probation officers who are not armed or equipped with telecommunications capacity. Also, because of the familiarity between the departments that has grown out of Night Light, there is now routine sharing of information on a citywide level regarding the identities of those on probation; any information obtained by any police officer concerning the activities of a probationer (whether the subject of Night Light or not) can be passed on to probation. While it may seem an obvious strategy, it does not seem to be the practice in most jurisdictions to exchange information between probation and law enforcement routinely. This failure robs probation of access to the contacts and observations made by police who are working the community on a 24-hour, 7-day per week basis and, therefore, have more "eyes and ears" working the streets than even the most proactive probation department can muster. This increased flow of information and intelligence regarding probationer activities has been of the greatest by-products of Night Light.

In sum, from probation's point of view, there is a new credibility to probation supervision and the enforcement of curfews and area restrictions that was not present when probation activities were limited to the 9 to 5. time

frame. Feedback from offenders, police, parents and community members alike indicates that the kids are aware things have changed and have become more cautious, not to say more compliant, in their behavior. This is a breakthrough.

From the police perspective, they now have a tool available to them that significantly enlarges their own power. Many police officers will speak of the frustration that comes with knowing certain offenders are active in a community but being unable to control them due to the difficulties involved in crime detection and apprehension. While not all offenders being targeted by the police are on probation, both common sense and the available data suggest that probationers account for upwards of 20 percent of all serious crime (Council on Crime in America, 1996). Any strategy that can legally target this group through closer surveillance and supervision can have a deterrent effect. Deterrence is achieved through incapacitating probationers by requiring they avoid certain areas and be in their homes at a reasonable hour each evening and not on the streets at times when gang-related violence flourishes. The understanding among probationers that, while they will most often not be detected undertaking criminal activity, their failure to abide by court-ordered conditions can put them in jeopardy of incarceration just as certainly as if they were arrested for a new offense is a point not lost on them. Put differently, the threshold for depriving them of their liberty is much lower than it is for the non-probationer and permits their removal from the street for a variety of non-criminal behaviors.

The police both marvel at and appreciate the power of probation officers in this respect. Members of the Gang Unit have often commented on how the kids fear their "P.O." more than they fear an uniformed officer. Provided this broader power is used fairly and judiciously, it does put a formidable crime-fighting technique on the street as a supplement to that which is achieved through conventional police strategies. As stated by Bernard L. Fitzgerald, Chief Probation Officer for the Dorchester District Court,

These are a few examples that come to mind of the benefits of a strong probation enforcement policy. One of the most striking examples is that of a young man who, along with his brothers, was the leader of a very violent drug involved gang in the Dorchester area.

His mother made a plea for him in court, to prevent him from being incarcerated. She said that if the court allowed him to continue on probation she would keep him at her new home in Plymouth.

The young man's terms of probation were written so that he couldn't be in Dorchester at any time other than to go to court. Within the next two days, the defendant's probation officer, while riding with the Gang Unit, spotted the defendant in the back of a taxi. The police stopped the taxi and when they

approached it they observed the probationer trying to hide an object which turned out to be a nine (9) millimeter handgun.

He was arrested for violation of his probation and possession of a firearm. He was found in violation of probation and committed to prison.

By virtue of this action, we were able to put a bit of a block on the activities of this gang. Another example of the benefit of the Night Light program is evidenced by the young man who said that his probation officer saved his life.

The young man came to his probation officer on a Monday morning and said that, had it not been for fear of being caught, he would have been with three friends who were arrested for a double murder.

He said that he had been asked to go with his friends to a party on Friday evening. He declined the invitation citing the fact that he had curfew and his P.O. periodically checked him at his home and if he were out he would be found in violation and sent to jail.

The probationer stayed home and his friends tried to rob two young men of their jewelry at a party and when they resisted they shot and killed them.

The probationer said that he had no doubt that he would have been part of that had he not been afraid of violating his curfew.

A Balanced Approach

It was understood by all participants in this new approach that more credible enforcement had to be leavened by a commitment to provide appropriate services and interventions to youth who frequently needed help and support in finding a new, pro-social direction as they abandoned the ganglife. The help came in three related forms: job assistance, faith-based counseling, and personal advocacy.

Access to employment was at the top of everyone's list. Getting kids jobs served multiple purposes. Work kept youth busy, and therefore, unavailable for gang activities. It also provided spending money and, in other instances, basic provisions for neglected younger siblings. Finally, it was a means to instill the habits of punctuality, following direction, and interacting appropriately with peers and the public, all sorely needed by the targeted youth.

In the early 1990's, the city of Boston greatly expanded its summer jobs program, so that it was realistic for all youth who were interested to have a

good chance of locating summer employment. Key officers in the Gang Unit contributed their own personal efforts to the cause and developed, after securing corporate support, what came to be known as the "Summer of Opportunity" (SOO). SOO provided youth referred by Gang Unit officers with a combination of work experience and life skills training. Those youth who successfully completed the summer program (which an average of 90% were able to do) were provided part-time jobs during the school year (Buntin, 1998).

At-risk youth in Boston found a second stream of support coming from an entirely new direction. In May 1992, a local Baptist church experienced the unthinkable — a gang-related stabbing and shooting took place during a church service. In the wake of this shocking event, inner city clergy mobilized to address the church's role in combating youthful violence. The "10 Point Coalition" was formed, comprised of ministers committed to taking their message to the streets in outreach to the hardest hit areas. These initial forays into gang areas led to the slow but steady development of relationships between kids and clergy that evolved into court advocacy as well as church-based programming such as "Gangs Anonymous" meetings, sponsored and attended by church leaders (Buntin, 1998).

The involvement of clergy and other church folk lent a special cast to the on-going efforts. The "10 Point Coalition" sponsored prayer meetings and special liturgies where blessings were bestowed on the Strategy and those active in it. To many of those involved, this new and decidedly spiritual dimension was deeply felt. It was as if the Almighty was smiling on Boston's efforts and bestowing a welcome and amazing grace on the undertaking.

These efforts were rounded out by a growing corps of "Streetworkers," hired by the Mayor, whose charge was to hit the streets and work with young people in crisis wherever, and whenever, they could be found. The streetworkers were hired for their skills in developing rapport with young people and mobilizing community resources. Greeted initially with suspicion by the police, in time a close, mutually respectful relationship developed that allowed the police to get the message out to gang leaders without the static that came with direct communication. The streetworkers helped head off trouble when alerted to emerging "beefs," worked with kids whom the police or probation might identify as on the cusp of serious trouble, and connected youth with city and other services that created healthy options for them to pursue (Buntin, 1998).

The incorporation of this emphasis on services, outreach, and advocacy gave needed balance to the Boston strategy and gave moral authority to the efforts of the police and probation. Both clergy and streetworkers identified themselves with the interest of community members and could not have supported a strategy that relied on stepped-up enforcement to the neglect of services and support. This commitment to a balanced approach, which had the manifest support and involvement of Boston's most aggressive police officers, made unconventional alliances possible. The lion laid down with the lamb, as it were. The youth saw a new seriousness about stemming youth violence coupled with a genuine, consistent campaign to identify and increase

the help available to them. Stereotypes and rigid role definitions broke down, all in the service of saving Boston's children.

A recently published case study of the Boston strategy, developed at Harvard University's Kennedy School of Government, put the matter this way:

The outreach programs established by the Gang Unit and the Anti-Gang Violence Unit had a two-fold effect: they benefited kids and gave the police the credibility it needed to build close ties to the 10 Point Coalition and other service organizations. The presence of these relationships in turn created a reservoir of good will that allowed the police and other law enforcement agencies to intensify its policing efforts without alienating large segments of the black community.

"If we [the 10 Point Coalition] had not played a role in the intervention and prevention process in Boston, what you would have had was something akin to apartheid," says (Reverend Jeffrey) Brown. "You'd have had the police versus the youth. It would have been Dodge City (Buntin, 1998, p.19).

Program Impact

What difference have the more than 6,000 Night Light contacts (home visits, street contacts, etc.) made in the last six years? While direct impact is notoriously difficult to prove, the trends in the affected areas, in terms of declining rates of homicide and other violent crimes, are encouraging. To point to some recent data, there was one juvenile homicide during 1996, one in 1997, and one through June of 1998, compared to sixteen for 1993 (J. Jordan, personal communications, May 12, 1998). The data presented in Tables 1, 2, and 3 document a decline in homicides during the period in which Night Light has operated.

Table 1

Boston Homicides, All Ages

Year	Homicides
1992	76
1993	98
1994	85
1995	96
1996	61
1997	43
1998*	15

**Data is through June 30, 1998*

Table 2

Boston Juvenile Homicides	
Year	16 and Under
1992	8
1993	16
1994	6
1995	4
1996	1
1997	1
1998*	1

**Data is through June 30, 1998*

Table 3

Boston Juvenile Homicides by Firearms	
Year	16 and Under
1992	5
1993	10
1994	5
1995	2
1996	0
1997	1
1998*	1

**Data is through June 30, 1998*

While no one involved with Night Light feels this positive trend is attributable primarily to Night Light, all of the staff involved believe strongly that compliance with probation, as well as lessened levels of gang-related violence, are at least partially attributable to the efforts of the Night Light staff. The networks that grew out of this innovation, which brought together clergy, streetworkers, community leaders and researchers as well as criminal justice personnel, were regularly in touch with offenders in the affected neighborhoods and were unanimous in their perception that probationary sentences and those that enforce them were seen in an entirely new light. David Kennedy of Harvard University's Kennedy School of Government commented frequently on how often gang members he spoke to felt restrained by curfew checks, area restrictions, and more frequent and unannounced home visits that came with the Night Light regimen.

In addition, court personnel believe that probationary sentences have gained a new and enhanced credibility due to the stricter enforcement of key conditions that Night Light provides. It is clear now, as it has not always been in the past — the word is on the street, so to speak — that those on probation must take their obligations seriously, or they will be detected in not doing so and consequences will ensue.

There is also the hard to measure but real reassurance that comes to those neighborhoods where Night Light takes place. The knowledge that probation officers are around with the police assuring that probationers are off the streets in the evening brings a measure of relief to hard hit communities. It is also very clear that the parents of these young people, who are often in a losing battle to keep their sons and daughters from responding to the lure of the streets, genuinely appreciate the support they receive through curfew enforcement. While this program is designed primarily to deter these young offenders from committing any new crimes, their parents recognize that it also serves to keep these same young people from being victimized themselves in the mortal combat that envelops their streets.

SIX LESSONS LEARNED

The Importance Of Balance

A man does not show his greatness by being at one extremity or another but rather by touching both at once.

Albert Camus

Correctional interventions must be two-fisted. An attempt to make real progress by utilizing either law enforcement strategies or treatment approaches alone is doomed to failure. The problems we address never yield to one dimensional approaches.

Secondarily, the one-theme approach will not garner critical political support. Solutions must be bipartisan in policy terms. The investment in enforcement clears the path for a complimentary investment in treatment. Average Americans want to see a measure of both, shifting in proportions to the realities confronted.

Publicity Builds Momentum and Commitment

President Clinton visited Boston in February 1997, as the culmination of an extended series of positive media hits for the Boston strategy. Regular coverage by both local and national media outlets (e.g., coverage on the ABC Evening News in its "Solutions" series) drew popular and, more importantly, internal attention to the effort. Everyone wanted in — there was no lack of volunteers or resources available to support the effort.

For any new initiative to flourish, there has to be a buzz surrounding it that focuses attention and elicits support. Both an internal strategy, creating organizational incentives for involvement, and an external strategy, building political support, are critical.

Accordingly, new programs must attract the best and brightest in an agency through strong support and internal marketing by the agency's leadership and

must catch the eye of key figures in the agency's authorizing environment, the circle of key public figures whose support is crucial to the agency. Nothing will accomplish this faster than sustained, positive media coverage.

Nurture the Relationship among Partners

Partnerships of any kind are fragile affairs and require work if they are to be sustained. Regular communication and an honest effort to honor each partner's unique role and requirements are key to longevity.

In the early years of the Boston strategy, there were bi-weekly meetings to which all participating agencies were invited, including both administrative and line staff. They were well attended and served multiple functions. The frequency of the meetings allowed those present to get to know and trust each other. The opportunity to get up-to-date intelligence and to share success stories sustained interest and commitment. The "open forum" approach, where anyone irrespective of rank could speak to the group, made for lively meetings where the key issues surfaced.

Use an Objective Outsider

Groups, particularly if they are highly charged and successful, can develop a blindness to potential mistakes or lost opportunities. "Groupthink" takes over, in the flush of enthusiasm and fellow-feeling engendered by in a new and exciting venture. Reality can sometimes get lost.

One antidote to this dynamic is to involve an outsider whose job, whether by design or happenstance, is to keep the project honest and aware of all developments, to look for flaws of logic, errors of omission, and possibilities for enhancements that only a disinterested party will easily notice.

In the Boston experience, David Kennedy of Harvard University played just such a role. Kennedy worked from a great respect for the practical wisdom of the participants and looked first to leverage their abilities and insights by feeding back to them in refined form the raw material of his many long and patient discussions with the key players.

Once again, an excerpt from the case study puts it best: Kennedy also played an important role in facilitating inter-agency cooperation. Kennedy didn't attempt to push his own approach to tackling youth violence on the group; rather, he pushed participants to think about what they could do to work more effectively together. Although many of the participants had already forged close working relationships, Kennedy's outsider perspective further encouraged working group members to drop their institutional egos. According to Kennedy, the working group process created a real sense of excitement (Buntin, 1998, p. 25).

Get Good Data

We don't know what we don't know. Though length of experience and seeming familiarity with a problem may lull us into thinking that we

understand its dimensions and true nature, gathering hard data before undertaking a new project can bring some surprises or at least impose a needed discipline on the process.

David Kennedy provided an essential service by helping the participants gather reliable data on the phenomenon and the offenders in question. Putting the up-front work into getting good data paid off in the group's understanding of the nature of youth violence. An examination of the particulars of 155 youth homicides in Boston revealed a high correlation with gang membership and gang-related activities and demonstrated the concentration of both perpetrators and victims among the relatively slim ranks of chronic offenders well-known to the system. This information was critical to the development of the strategy.

Secondly, tracking the results of the project provided both required documentation of results to the outside world while also helping to shape and refine the emerging strategy. This is also covered in the next and final lesson.

Be Experimental

The country needs and, unless I mistake its temper, the country demands bold, persistent experimentation. It is common sense to take a method and try it. If it fails, admit it frankly and try another. But above all, try something.

Franklin D. Roosevelt, 1932

A bias toward experimentation is reflected in passion for novelty, flexibility, and measurability. Corrections is awash in failed strategies and the only recourse for the prudent manager is to keep trying. Moreover, trying to find entirely new ways that break from conventional approaches is especially critical. Breakthroughs in science come from exploring new techniques for which there is often no logical support. We still do not know why some very effective medicines work. We must be similarly foolhardy in corrections. We love the long-shot, the odd-ball, the "what if..." frame of mind. It is this spirit that energized the architects of the Boston strategy and accounts for much of their success.

Flexibility in design and implementation is equally important. If the ideal model cannot or does not work, modify it, tweak it until it starts showing some results. Again, this is precisely how the most accomplished scientists work. They follow an iterative process, constantly testing, changing, and testing again. Sticking with something after its shown flaws is not determination but stubborn pridefulness.

Finally, look for proof that you are attaining the ultimate outcomes. Have a bottom line and stay with it. In Boston, the goal always was to stop the killing. The participants never looked up until the numbers began to drop dramatically. Fewer funerals was the goal and they kept close score.

THOUGHTS ON REPLICATION

Principles Travel but Programs Don't

Too often, a certain model gains popularity and becomes the darling of the correctional field. Boot camps are a good, recent example. Like Cabbage Patch dolls, everyone has to have one. The trouble with adopting programs wholesale because they are in fashion and appear to work is that it ignores the reality that people, places, conditions, and resources vary significantly in ways that can both foster and impede success. What works for me will work for you only if you're just like me. Usually, you are not.

Principles can transfer, however. Looking to the essence or core properties of a program is helpful, for they can be embodied differently depending on the key variables in the adopting jurisdiction. Custom-tailor the general approach to local realities. Steal my ideas, not my programs.

It Takes A Crisis

A delegation from Boston recently visited another state interested in adopting the Boston strategy. In a meeting with the officials of that state, someone asked "What does it take to get a program like yours started?" After a pause, I responded: "It helps if one of your churches is shot up."

The tragedy at the Morning Star Baptist Church in Boston was clearly a catalyst for much of what started in Boston. No one honestly hopes for such an event, but the cold truth is that something of that caliber is often the unplanned jump-start for subsequent reform. Absent a shared sense of urgency, the mandate for change is a weak and uncertain thing.

You cannot plan for, and should not instigate, a crisis, but you can reveal one. Sometimes, seeing that there is attention drawn to otherwise little known and ominous conditions and trends can provide a critical mass of concern and coverage. A flair for the dramatic is a well-known attribute of change agents.

Look for Natural Born Leaders

Peter Drucker, a management guru, has said that wherever something really great is happening, there is a maniac on a mission. Big results require extraordinary leaders. The best ideas in corrections are never self-executing. Uninspired management can undermine the best models and real leadership can breathe life into the most half-baked ideas.

New projects need champions. Agencies and jurisdictions committed to radical improvements must identify and enlist talented administrators with a passion for the enterprise and a hunger to succeed. They are few in number but every system has them. Find one and put him/her on the case.

Start Small

Do not launch the Normandy invasion if all you need at the moment is to take a beachhead. Over-reaching squanders resources, divides attention, strains logistics, and makes retreat difficult.

Look to your most favorable circumstances and start there. First learn what it takes to succeed. Make an early victory nearly inevitable through a

concentration of force. Use that small success to build momentum. By moving slowly but consistently, you can spread yourself thick.

Take Stock of Existing Relationships

City-wide interventions require the buy-in of a diverse group of public and private officials. Historians of war tell us that soldiers risk their lives more for comrades than cause. Social action is no different. Only hard-earned mutual trust based on personal regard will get any coalition through the inevitable setbacks.

The best working relationships do not come cheap. They are built around a lot of coffee cups, in station house back rooms, in drafty church basements, in courthouse corridors, and at the scenes of shootings. It takes a while to learn who you can rely on, whose back you are willing to cover.

Agencies wishing to take the lead in a new strategy must be assured that they have sufficient allies. If more work needs to be done on cultivating key relationships, hold off the new initiatives and build those key alliances. Your potential partners will want to know that you are dependable, honest, courageous, and a team player. Show them.

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THE VERMONT REPARATIVE PROBATION PROGRAM

Lynne Walther
Options Project Manager
Vermont Department of Corrections

John Perry
Director of Planning
Vermont Department of Corrections

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The second new case was an extensive meeting. The offender, convicted of Reckless Endangerment, began by stating that he believed that he was the real victim, and that everyone is out to get him. He had an excuse for everything, and told the board that the witnesses' perceptions were not accurate. After extensive discussion, he finally owned up to the possibility that the victim might have been frightened, and agreed to his contract. He will write a sincere letter of apology to the victim, to be reviewed by the board. He will complete 36 hours of community work service. Finally, he will write a paper explaining the various impacts of his offense on others, and ways to respond more effectively in similar situations.

Governor, while this case is relatively minor, it represents a significant aspect of the Reparative process. In a typical plea agreement, the offender pleads guilty to the charge, in return for which he is usually given probation. He does so through his attorney. In fact, he never has to speak about his offense, and never has to acknowledge the harm that he has done. In the traditional process, the offender can continue to deny the reality of his offense, especially when he has gotten off with probation, and continue to see him as the victim of the system. With the Reparative Board, however, he has to talk about the offense, and when a whole group of his neighbors just doesn't buy his bill of goods, he has to begin to acknowledge the reality of his offense, and at least begin to recognize his responsibility.

INTRODUCTION

The Vermont Department of Corrections has embarked upon an unprecedented experiment with alternative sanctions and community partnership. With a long history of volunteer participation in the correctional system in Vermont, we have had a strong cornerstone on which to build a program dependent upon individuals in the communities working with victims, the criminal justice system and offenders.

Other writers have reconstructed Vermont's process for design and implementation of restructuring: the creation of four intermediate sanctions to address both higher level and lower lever offenses outside of prison (Perry,

1997), the dramatic realignment of staff to risk management and reparative tracks and units (Dooley, 1995); the intensive training provided for staff and volunteers, the statewide marketing efforts to acclimate the criminal justice system and encourage sentencing practices to support alternative sanctions (Spinelli, 1995), the use of a project management model to achieve start-up of the sentencing options simultaneously and effective implementation and evaluation strategies. This article will focus on what has happened since the startup period, where we are going, and what we have learned to date.

MARKET RESEARCH

We began the experiment in the traditional manner, dreaming up new program ideas in a relative vacuum. But before we implemented, we did something rather unique in government: We did market research. We asked Vermonters what they thought of the new program ideas, and what they thought of us and the criminal justice system, too. We hired John Doble of Doble Associates to run a series of focus groups and a telephone survey. We asked Vermonters what they wanted from us.

The research told us the public wants only a few simple things from us. First, they want safety from violent predators. They want violent offenders locked up for the full term of their sentence, and they don't think we are doing that.

Second, for the offenders who are placed in prison, they want treatment. They expect us to provide treatment, education, vocational training, and work for them, especially the young ones, while we have them. They don't expect that it will work every time, but they expect us to try.

The third thing they want from us is to hold the other violators of the law accountable. They do not mean prison. They know prisons are terrible places, and they know the only people who should be in prison are violent predators. They want non-violent violators of the law held to account. The want the offender identified; they want the offender to acknowledge the reality of the crime, and they want him/her to account for it. They want him/her to say s/he is sorry and mean it.

Fourth, Vermonters told us that they want the offenders to repair the damage they did. They want offenders to give back what they stole, fix what they broke, make amends for their violation, and do something that adds value, rather than just costs us more.

Finally, Vermonters want to participate in the system. They want in on the decision-making because they think they can help do a better job. They think the criminal justice system isn't paying much attention to minor crime. They think we ignore the crime that most immediately has an impact on their lives — the common crime — the crime that diminishes the quality of life in their neighborhood. They don't want that crime ignored, and they are willing to spend time and effort to deal with it, if we let them.

Vermonters weren't willing to have the boards deal with high-risk violent felons — they think that's correction's job, and they are willing to pay for that job. But they want to deal with their own non-violent offenders in the neighborhood themselves, if we will let them, and empower them, and

support them. They want to assess for themselves what is going on with these offenders and to decide what happens.

That's the basis of our Reparative Boards. When we tested the concept in our market research, the survey response was 93% in favor! Most new product surveys do not generate that kind of favorable response, and, considering the 37% favorable rating the department got in the survey, we thought we had something.

What we realized from the public surveys and our market research was that the traditional purposes of sentencing — punishment, deterrence, incapacitation, and rehabilitation — were not inclusive enough. They were offender-based, focused on the system's response to the offender. These responses and purposes fundamentally missed the victim, and they totally ignored the community.

DESIGNING THE PROGRAM: COMMUNITY INVOLVEMENT

We knew that people wanted to participate, and we knew that we had to provide some controls over the process. We decided that small groups of citizens, functioning like a jury in some regards, would provide the social network of balance and self-regulation. It was obvious that the boards should be broadly representative of the community and its values and leadership. This meant the boards had to be volunteers, not professional criminal justice system members.

Despite some warnings in research and community development literature (Pranis, 1995; Zehr, 1990) that indicated a successful community response to crime can only exist outside of the criminal justice system and its bureaucracy, the department decided to establish a program. To do so required fundamental change in the internal paradigm and building partnership with the community with restorative justice as its vision.

We also knew that people didn't trust us, because we were the government, strangers from away. So we knew that we needed to work within the community level up through, rather than top down. We also knew that our probation caseworkers were overwhelmed with numbers. The average probation officer had a caseload of 150, with a new intake every week or 10 days, resulting in a new discharge as often. The result of the numbers was that low-risk offenders were likely to be seen once to sign up for probation, and once, a year or so later, for discharge. So the motivation from the department's perspective was to reduce caseloads to allow field staff to focus on the higher-risk, more serious offenders. This meant we had to handle an annual flow of up to 2,500 cases. Combining the numbers with a volunteer approach required a large number of volunteers simply to keep the workload down. This meant coordination of many players. We also knew that the market research showed that people wanted to do more than simply participate. They wanted to make decisions. That meant we needed to define a level of authority over real cases.

THE SOURCES OF AUTHORITY

Determination of restitution is a bone of contention that has been tossed back and forth between the various components of the justice system for

years. The court is required by statute to consider restitution in sentencing every case involving a victim. The reality of the issue is since that 99% of convictions in Vermont are achieved through plea, most of the counts or charges are dropped, and thus most of the victims not represented. This is particularly true in minor property crimes, like bad checks, where dozens of counts may be dropped in return for a plea on few counts. The authority for determining restitution is fuzzy. However, in practice the determination of the actual restitution has been left to the probation officer. In fact, it is a part of sentencing. To devolve that authority to probation officers with huge caseloads results in desultory attention to the task at best.

In defining the authority of the boards, we looked to statute and could find little guidance. Then we looked at the state constitution. The only section of that document dealing with criminal justice provided us with inspiration:

To deter more effectually from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be employed for the benefit of the public, or for the reparation of injuries done to private persons: and all persons at proper times ought to be permitted to see them at their labor (Article 64, Chapter II, Vermont Constitution, 1791).

It became clear that the framers of the Vermont Constitution wanted to move beyond punishment for its own sake, to a utilitarian perspective. We decided to appropriate the term, reparation, making it the central purpose of the program.

DEFINING THE OUTCOMES

We knew that the focus of the process had to shift, from offender outcomes to victim and community outcomes. We also knew from Gendreau (1989) and Andrews (1994) that intensive treatment with low-risk offenders has negative results. We knew that if the program were to be truly community based, it could not be costly. So we decided to prevent the board from requiring participation in treatment. We also recognized that the fundamental purpose of the process was to construct a mechanism for offenders to repair the damage they have done and to add value to the community as a demonstration of making amends. We decided to define these outcomes simply:

- to restore and make whole the victims,
- to make amends to the community,
- to learn about the impact of crime, and
- to learn ways to avoid reoffending.

We initiated this program without the full knowledge of the restorative justice literature that we have gained since we started. That growth in our

knowledge is part of the story we now share. Nevertheless, we have found no major flaw in the original design that precludes operation from restorative justice values. In fact, the operation of a statewide program with multiple inputs from staff and volunteer board members has allowed a real test of the principles of restorative justice, which are not otherwise available in small, startup programs. In Vermont, we have been able to provide a larger scale experiment.

STARTUP — THE PILOT

The Reparative Probation Program began in the northeast corner of the state in December 1994, shortly after we received a major grant from the Bureau of Justice Assistance. We formed a committee of local criminal justice practitioners. Staff assessed the need for meeting the needs of victims and the community who have been harmed by low-level crimes, to repair that harm, and hold offenders accountable. This initial team designed the program after meeting with local defense and prosecuting attorneys and judges, talking to advocates for victims, and examining statistics on probationers currently being supervised. The first case was heard in the Spring of 1994.

While the pilot team was developing the program in one part of the state, we were also involved in creating a restructured set of sentencing options for the courts, to include a new set of legal statuses, and a set of intermediate sanctions programs designed to relieve overcrowding. The development of the reparative track got slowed down to husband resources for the more pressing needs of facilities, which gave us some time to develop a good process for recruiting new board members.

Recruiting the Boards

The first task was to form the boards. Our confidence that we could recruit board members from the community was not based only on the market research. For several decades that department has had an extensive volunteer effort, recruiting over 800 volunteers to work with offenders and help staff. Our history of successful partnerships with the community and the internal structure we had developed to manage volunteers gave us the confidence to solicit such a large number of citizens to embark on this new program.

We asked our local managers to identify people in their community who were leaders. We then solicited these people to nominate peers whom they felt would be interested and effective in this innovative program. This effort recruited the first 50 board members. Others came forward as they heard about it in the community press, through the grapevine, at department-sponsored community meetings, and from other volunteers and staff.

Training and Coordination

Our Human Resource and Development unit provided an initial training for both potential board members and staff. Bylaws were drawn up, criminal justice players met with boards to negotiate and sort out protocols, community resources were solicited to provide program activities, and mock hearings were held with enthusiastic staff playing offenders and victims.

Board members became official department volunteers with mandatory training and obligations. This involved criminal record checks and signing confidentiality agreements. The pilot project in the Northeast area operated during the first six months, with some success and a few cautions for the boards being trained around the state. Meanwhile we recruited statewide and hired staff. By September 1995, 15 boards with 120 community members were trained and ready to hear cases.

THE PROCESS

The Offender

During the pre-plea negotiation between defense and prosecution, or at arraignment docket call, corrections court staff provide the risk and offense assessment that help define cases appropriate for reparative probation. The offender pleads guilty and is given a sentence, which is then suspended in return for compliance with conditions of probation, including completion of the reparative agreement.

The target population was lower-risk offenders convicted of any nonviolent offense. Initially, department of corrections staff attended court and pre-plea conferences routinely, helping define those cases that were appropriate for the boards. The department initially wanted to limit boards and attorneys to fairly benign cases, both in recognition of the unknown abilities of the boards and the political costs of a serious incident. As the boards have gained experience, they and the system have decided to take on more serious cases. Also, as states attorneys and defense counsel have become familiar with the program, most cases are referred without department input. However, some staff still routinely attend arraignments and may prompt the court to consider the program.

It is important to note that throughout our startup process, the department held the reins. Eight Reparative Probation coordinators, department employees, were hired to oversee the program. We wrote a detailed directive with specific procedures to be followed. The staff Reparative coordinator at each site handled all of the official work: intakes, case processing, court appearances for recruiting cases or presenting violations, preparing documents and information for the board, and attending meetings with central management. The program had all of the necessary bureaucratic parameters: target population, staff roles, assessment and data collections, court procedures, standard methods, implementation criteria, and outcomes. The offender goes through the intake process as the Court & Reparative Services Unit, learns the goals and expectations of the program (in some cases during a group orientation with other probationers), and is scheduled to appear before a board, depending upon the victims availability. The board meets with the participants usually within three weeks after the initial intake.

The Victim — Voluntary Participation

We realized fairly quickly that we had neglected the individual victim in our design — perhaps a predictable response from our part in the retributive criminal justice system. Initially, staff focused on pure victimless crimes, such

as driving while intoxicated, driving with a suspended license, or alcohol possession. Fairly quickly, however, the boards began to take on property crimes with victims. First came cases involving the indirect victims, such as the business managers of crimes against property: shoplifting, minor theft, even some burglaries of unoccupied dwellings. Even at this point, we began to recruit the direct victims to participate in the process. When there are direct victims of the crime, department staff or a volunteer trained as the victim liaison works with the states attorneys Victims Advocate to contact the victim, explain the program and describe how he/she can be involved. At most sites, the Victims Advocate welcomes the support from the department in dealing with those who have been harmed by a nonviolent offense so that they can then concentrate on more serious cases. For the victims, the severity of the crime isn't the issue — they need information, restitution, an opportunity to face the offender and ask questions, and a sense of closure.

Several options are offered to the victim. He/she is invited to give a victim impact statement, go through a victim-offender mediated dialogue, participate in a community justice conference and/or attend the board meeting with supporters. We have found, particularly in the board that has had the most victim involvement, that a number of victims feel satisfied after a phone conversation with a volunteer victim liaison. The volunteer explains the process of the board and the options available but most importantly, just listens to the victim. Following that exchange, many of these individuals do not feel a need to meet with the offender. One victim stated, "It's good to know someone cares what happened to me." The next step is that the volunteer relays that conversation to the board. The victim is still contacted at the end of the agreement term, and told what happened.

Governors Weekly Report: May 28, 1997

In Rutland, a case involving negligent operation was attended by the victim. The offense involved a car accident that resulted in a broken power pole and property damage. The damages had been reimbursed by the offender's insurance, but the victim expressed a fear that since the property is a vacation home, there would be retribution by the offender when he was gone. The offender was extremely apologetic and positive, and the victim was reassured. The board agreed that he should complete 40 hours of community service in Brandon, write an apology letter to the victim, attend ENCARE, attend the Defense Driving program, and pay his fine and fees by the end of his term. This sentence was interesting because the court also sentenced him/her to 30 days of work crew under correctional supervision, which he will do on weekends. The offender believes the program was a great alternative to incarceration, and went to great pains to quell the victims concerns.

The Board Meeting

Three to six community members attend each board meeting, which is a public meeting and can have observers at any time. Most sites have a panel or board scheduled at the same time weekly or biweekly. Of 15 sites, 11 have more than one panel which meets on different days to handle the number of cases, to allow more flexibility in attendance of victims, offenders and board members, and to allow for the geographic distribution of cases. Someone chairs each meeting, reiterating the goals of the program and monitoring the process to make sure everyone has a chance to speak.

Friends or relatives of the victim and the offender may be present. The Reparative coordinator or a trained volunteer also attends each meeting to provide case notes to the board, answer questions about the case if needed, introduce the victim, take notes, and make copies of the final contract, outlining what the offender will do to repair the harm done.

If a victim is present, he or she explains what happened and its impact on her or him. Then the offender tells his or her story. Board members ask questions, let the offender know how they are affected and move into facilitating a contract only when all four goal areas have been addressed. Meetings last anywhere between 30 minutes for a quick review to two hours for a complicated case where agreement isn't reached easily. Similar to conferencing, everyone gets a chance to speak, the victim is encouraged to share what needs to be done to address the harm done and what the offender needs to do to make amends.

If there is no victim, the board members role as the harmed community can be even more important. Each volunteer's reaction is personal and unique, and the offender has the opportunity to realize that individuals can be irate, sad, perplexed and/or damaged by his/her criminal behavior. Numerous statements by offenders to board members, to victims and on post-meeting surveys reveal an unexpected realization that real people have been hurt.

Governors Weekly Report: February 26, 1997:

In a fairly high profile case in Crittenden County, the offender was charged with simple assault and careless and negligent driving. This young man was driving at a high rate of speed, and tried to make a corner, traveled across the road and up on the sidewalk on the wrong side, nearly hitting two children on bicycles. He didn't hit the children, but one of them stopped short on her bike and went over the handlebars. There was no alcohol involved. The board meeting was attended by both children and their parents, and when the younger of the two children (8 years old) told the board that he thought his sister had been hit by the car and went screaming for his mother and told her she'd been hit, the offender was shaken.

The board then probed more deeply. It appears that this young man has a history of bad driving, apparently due to serious Attention Deficit Disorder (ADD). He has been denying his behavior, but this incident has brought it

home to him/her that he does indeed have a driving problem. His work service restitution will be done with the Parks Department, to further drive home the point by having him work with kids, and he is to research ADD and write a paper on ways to improve driving attention, take ENCARE, and take a defensive driving course. The board, the victims, and the offender were visibly moved by the encounter.

Then the board, the offender, and the victim reach a negotiated agreement. The ground rules for the agreement are defined in the four outcomes of a reparative sentence. While each of the four elements are not required, the more effective agreements have all four elements represented.

If the offender and the victim agree, then the board sets a time frame for completion and for progress checks. The agreement is entered as part of the probation order, and the offender begins to work on the conditions of his/her agreement.

Progress Reports and Mid-Course Corrections

Most boards see offenders at least once during the 90 day period of the agreement, although some see the offender more frequently. The progress check is an opportunity for the board to check compliance and progress with the agreement (to demonstrate to the offender that the board takes the agreement seriously) and to help the offender who is having difficulty with the agreement (to demonstrate to the offender that the board wants him/her to complete.)

Governors Weekly Report: May 27, 1997

The Windham Board has been extremely active, with one new case, one closure, and four updates. One offender appeared for a 60-day update, having met a good portion of his obligations. He had started his community service at the teen center, brought a solid draft of his apology letter to the victim, completed his list of good and bad choices he has made, and is due for a closure meeting in June. Another offender back for an update was not so complete. She brought her apology letter for review, and it did not pass muster. She had plenty of excuses, but the board did not accept them, and told her to get busy.

Non-compliance and Violation

If an offender does not accept the responsibility and refuses to sign the agreement, the board may recommend violation and return to court. In addition, if the board feels that the offender is insincere, the case is inappropriate, or the victim's interests are not adequately represented, then they may also return it to court.

If, at the review of progress, the board feels that the offender is not making satisfactory progress, they may also return it to court. The board has leeway within the 90-day window to extend the offenders time to comply and to adjust conditions as necessary.

Finally, at the closure meeting, if the offender has not fulfilled the conditions satisfactorily, the board may also return to court with a recommendation for violation of the terms of probation. Most often, however, the board listens to the extenuating circumstances presented by the offender and gives an extension of up to 90 more days.

A few boards have taken the next step, recommending that offenders who are not complying with the agreement be violated, and then re-sentenced to perform the community work service on a Department of Corrections supervised work crew. These community restitution crews, under uniformed staff supervision, work on community beautification and conservation projects for local government and non-profit agencies.

Governors Weekly Report: June 18, 1997

Governor, you asked what the bottom line is in a reparative case such as one we described where the efforts of the offender didn't pass muster with the board. The ultimate bottom line, with an offender who simply doesn't get it and produces a less than adequate response, is to go back to court as a violation of probation, and then the sentence may be imposed. On the way there, however, is the board's willingness to state, face-to-face with the offender, that her behavior does not cut it, and that they are not willing to accept just getting by level work. The real bottom line with these offenders is that the community does care what the offender does, and a shoddy second-rate job just isn't acceptable. Many of these folks have been able to get by with less than adequate performance most of their lives, and having the board say, simply, that's not good enough! is a significant departure for them. Someone is paying attention to their results.

Successful Conclusion

Some 85 percent of the cases, however, end with successful completion of the work service, the letters of apology, the theme papers, and attendance at learning activities or assessment of drug or alcohol problems. For the most part, these are highly positive experiences for the board, the offender, and, increasingly, the victim.

Governor's Weekly Report: May 7, 1997

The board held a closure conference with an offender who passed four bad checks. She had completed her 35 hours of community service at the SEVCA Community Thrift Store. A letter from the store manager is attached. She wrote a letter of apology to the victim, paid back the bank, and prepared a list of the effects that writing bad checks have on businesses and the community. She also prepared a listing of times and places for all AA meetings in her community. Having fulfilled her contract, the board congratulated her and discharged her successfully.

Governors Weekly Report: March 12, 1997

The Chittenden board heard from an offender who completed his work service at VPR. He was accompanied by a staffer from VPR [Vermont Public Radio], who praised the young man for the help he provided, saying he fit in very well at the station. For his part, the offender expressed that he had met a lot of great people at VPR and that this had been a positive experience for him/her.

EVALUATING THE PROGRAM

Two years later we can begin to tell the story of how the vision is playing out. This has only a little to do with hard evaluation of the recidivism outcomes. Recidivism is only one of the program outcomes. It has more to do with the mutual needs of victims, communities, offenders, and government.

Governors Weekly Report: June 18, 1997

The Caledonia board saw KC for a bad check. The court placed him/her on probation, with at 10-30 day jail term suspended conditional on coming before the reparative board and paying restitution of \$762.68 to his victim. The offender tried to explain to the board that he was going through a separation from his wife and didn't realize the account was overdrawn. The board didn't buy it. One stated that KC had figured out how to get interest free loans! KC then admitted that this was not the first time, and that several other charges had been dropped in the past. The contract that was agreed to was the result of nearly two hours of discussion, but was to the point. KC will write a letter of apology to the used car dealer he victimized, make restitution at the rate of \$60 a month, and perform 10 hours of community service, which will be done under the guidance of the St. Johnsbury Police Department. The Community Service work is what makes the contract different. He will be supervised by the Police Captain (a member of the board) and under his guidance, he will be contacting people who have written bad checks, and contacting local businesses to develop a report on bad checks which he will present to the board at his review.

SOME SURPRISES AND LESSONS LEARNED

Some board members have exhibited punitive activity (at worst), and offender-based goals (at best), rather than restorative, inclusive values. We believe this behavior will change with the pressure of peer reviews and inservice training. As board members see greater successes with reparative and restorative approaches, the extremes of ideology will likely subside. We are, however, working now to define the charter of each board, with a set of authorities and operating principles.

The workload required for this program is intensive compared to normal probation, but of much shorter duration and intrusion (no supervision, 90 days to completion, low-level, low-risk cases.) Nevertheless, the fact that the

offender will be actively engaged in responding to the board, first for an hour in the opening meeting, then for a review at the mid-point, and finally at termination, has required extensive coordination of paperwork and scheduling. There have been more than 1,000 cases handled so far, and the current active caseload is about half that. Cases have been turning over rapidly, and caseloads are growing. Currently, about a quarter of the normal annual cases assigned to probation have been given reparative conditions.

Various parts of the criminal justice system have not bought into this program: judges in some areas, the states attorneys elsewhere, and defense attorneys in other places. The inconsistency of their reactions to this program which we marketed heavily is a real stumbling block. There are areas of the state where the program has yet to make a dent.

THE BOARD MEMBERS EVALUATION

Some board members feel they can make even more of an impact on crime than they are with nonviolent, low-level offenses, they want heavier cases and are confident that they can make a difference by dealing with more serious offenders.

Despite busy schedules, board members have put in a great deal more time than was originally anticipated for the process. Some spend hours a week in board meetings, training, marketing of the program, meeting with staff and community groups. A number have been available for media visits, film crews, and professionals from around the country to observe the process. Many have gone to several one and two day conferences. Some board members want continued training on a number of topics and some have put in days at special trainings (e.g. REALJUSTICE Family Group Conferencing, Working with Victims).

A recent survey sent to all board members and volunteers working with reparative probation showed some interesting demographics. The board members are better educated than the general population in Vermont, with some 81% having some college training, compared to half of the general population. The board members are overwhelmingly white, but not out of line with the general population. The gender composition is 59% male. In terms of satisfaction, the vast majority of board members felt the experience was positive.

In surveys distributed to offenders, some 90% have expressed satisfaction and, in some cases even gratitude, for the Reparative Board experience, despite the fact that in most cases it is much more demanding than regular probation.

A number of board members have been reluctant to involve victims in the process — we surmise due to fear of exposed emotion, a mindset that the community is there to rehabilitate the offender, a fear that victims will seek retribution only or simply a lack of knowledge about how to deal with them.

A significant problem that we did not anticipate is dual sentencing. The offender is sentenced to regular probation with conditions but then has a reparative condition added, so she or he sees the board as only part of the sentence, instead of the complete sentence. Instead of reducing the caseload,

it has added reparative conditions. We have also seen a few jurisdictions where the court has refused to use the probation sentence as the vehicle to place the offender under reparative supervision. In one county, the courts and prosecutors routinely send offenders to the board under a deferred sentence, where the offender agrees to reparation, and sentencing is deferred until completion. If successful, the charges are dropped, and the offender has a clean record.

Some Statistics

Intakes	1,052
Successful Completions	406
Violations	91
Still Active	555

RESULTS — THE BOARDS BECOME SELF-ACTUALIZING

In some senses, the boards have taken on a life of their own. Some of the results: One board negotiated with a state's attorney to get the attorney to sentence DWI cases to reparative probation with a guarantee from the board that they would include activities for the offender to address his or her alcohol issues. The also have recruited businesses in their community to hire probationers in the program until their restitution is paid off. Several have lobbied the state legislature to pass legislation mandating the reparative process for certain crimes. A few boards have seeded new boards in their own communities. One board member, who is also a police officer, went through family group conferencing training, and has persuaded her board to consider conferencing as an option, while she has begun doing regular conferences with juveniles in her jurisdiction. Others have developed victim empathy panels and created a mentoring process for offenders who have successfully completed the program but could use a concerned adult in their life. One county's board won \$1,000 from the annual J C Penney Volunteer Awards and discussed becoming a 501C to use the money to establish a scholarship fund for victims.

THE FUTURE

Our agenda includes further steps toward autonomy for the boards: marketing of the program by board members themselves, training of both staff and board members in the principles, values and practical expression of restorative justice, more victim involvement, and formal evaluation of the program.

Expansion: Reparative Boards will be expanded, both geographically and functionally. We fully intend that each community in the state have the opportunity to have a board, functioning as part of local government. We have already added 10 boards to the original eight, and three new towns now have boards. Our largest county (100,000 population) is adding a new board in another town this fall and will expand to a third town soon after. The workload is the primary driver, as more and more cases are sentenced to reparative probation.

Chittenden County Initiative: We are exploring with the mayor of Vermont's largest city the use of boards for other than strictly criminal reparative probation. This may involve the development of neighborhood dispute resolution centers, community problem solving, community justice centers, juvenile cases, landlord tenant disputes, and other local issues.

Self Evaluation: The next step in evaluating the effectiveness of the boards is a peer review of outcome achievement. This requires the boards to define outcomes not simply for offenders and victims but for their communities.

CONCLUSION

Restorative Justice is only part of the answer to the problem of crime in our communities, but in Vermont, we are demonstrating that it is a viable part. Across the nation, communities are afraid of crime and dissatisfied with the system of response. We, within the system, must be prepared to admit that they are right and invite them in. If this means giving up some of our authority, so be it. When it comes to fixing broken windows in the neighborhood, government is probably the worst response. The first response, and probably the best response, is when the neighborhood fixes its own windows.

THE NEW ROLE OF PROBATION AND PAROLE: COMMUNITY JUSTICE LIAISON

Michael J. Dooley

Program Specialist
National Institute of Corrections Academy

This is not about throwing out our current justice system. In fact, many of our traditional justice practices work well with serious offenders and we officials and professionals can do a real good job in protecting the public against the harm these offenders will likely inflict on us and our communities. It is those many low level offenders that we will mess up simply because there are too many for us to handle, and besides, the community can do a better job at resolving harm and the underlying issues caused by less serious offending.

Judge Barry Stuart, Yukon Territorial Court

INTRODUCTION

There is no question that the field of probation and parole has been experiencing dramatic change in the most recent years. To some this is quite disturbing. To others it is a time for substantial and exciting opportunities. Nonetheless, there is one thing that is as sound as the sun rising and setting each day; the profession is in a constant state of change, and the most recent shift will probably be the most radical in recent decades.

THE NEW WORKER — ROLES, RESPONSIBILITIES, CHARACTERISTICS, TRAITS

The profession of corrections — probation and parole — has made some critical shifts in orientation, roles, and responsibilities over the past thirty years. Early on, our tendency was to function as that of a helper often calling the offender our client. We then moved toward a position whereby the offender needed to be accountable to the system and its actors. This meant a role and responsibility to provide monitoring and supervision services, and eventually treatment services, although that has been from an orientation that the offender is still personally responsible for his or her own behavior and change. With community and restorative justice we have just begun to rethink and retool to meet the new demands and challenges that this concept calls for. As Gary Hinzman (personal communication, 1998), a colleague from Iowa says,

We have hired enforcers, treaters, educators, social workers and surveillers. What we really need is a 'situational' employee who can meet the diverse needs and demands of communities, from victims, and from offenders.

Roles, Responsibilities, Traits and Characteristics

As community and restorative justice initiatives get underway, agencies large and small will need to focus on recruiting, hiring, training, and evaluating

individuals according to a whole new set of qualifications, criteria and standards. Highly effective persons doing community and restorative type of work do not need to come from the ranks of the criminal and juvenile justice profession, as we traditionally know it. A good friend and colleague, Kay Pranis, tells how her background was one of a stay-at-home mother and how she entered the education field briefly as a community organizer before she became Minnesota's premier restorative justice planner. She has since affected hundreds of agencies and thousands of people by assisting in the start up of many highly regarded restorative justice initiatives. Another highly effective person in the field, Gena Gerard, was a young graduate student who came across restorative justice while working on her masters degree in public policy. She began a project (i.e., Community Conferencing) with the Central Cities Neighborhood Partnership in Minneapolis. She had no prior experience or any formal training in the criminal justice field.

Some have said that training within a rigid professional discipline often may prevent one from being effective in the work of community development and organizing. As Ronnie Earle, district attorney in Austin, Texas, recently said to a victims group:

The public has it a lot easier than we professionals do. They only have to learn the new principles and concepts. We have to first 'unlearn' what we have been doing and trained to do for so long and then relearn a whole new way of doing something.

We must exercise caution, however, when looking at these new changes in agency and staff roles and responsibilities. Restorative and community justice is not about adopting some new professional technology, as a doctor would use a new laser surgery to treat some sort of ailing condition. Community and restorative justice is about changing the very premise, perspectives, values, principles, and assumptions under which we have traditionally operated. The community already possesses the knowledge we need for doing justice in a different way (Pranis, 1998). Ordinary citizens already possess the basic understandings necessary for a fundamentally different approach to resolving the harm of crime. The roles of formal criminal and juvenile justice agencies in the intervention of crime and conflict in communities are changing. State criminal and juvenile justice agencies are promoting system and community-wide change in our response to social and family problems without the use of formal authority or statutory power by engaging all stakeholders in a voluntary, respectful process of examining an alternate vision and allowing local control over the decisions to make change, the specific path of change and the pace of change. In fact, roles are reversed. The community becomes the primary responder to family and social problems, and the judicial system operates in support of the community in its problem solving efforts.

When we look at justice from this perspective, we must examine staff and agency behaviors, policies, and our interactions with all those we come into contact with, both inside and outside the justice system.

DEVELOPING RESTORATIVE JUSTICE JOB PROFILES

So, what does all this mean to the probation and parole worker on a practical level? When making presentations and engaging in a dialogue with criminal and juvenile justice professionals around restorative justice, I often ask the question, "What are the characteristics of those on your caseload?" Or I ask the audience to describe their caseload. The majority of responses focus on characteristics that describe the offenders they serve — usually young, undereducated, and unemployed minority persons from disruptive family backgrounds. In other words, it is the offender who they are describing when asked who is on their caseload.

In fact, probation and parole has been driven by the dominant perspective that the work revolves around one's caseload — the number of those on probation under supervision by a particular officer. We build performance systems around the caseload. We make assignment decisions and allocate resources based on the number of individuals on a caseload. In other words, we are a caseload carrying business that influences much of our daily professional behavior and interactions.

Our challenge then is to introduce a new concept of what it means to work within a community and restorative justice context. For some of us, we need to lose that traditional concept of a caseload that encompasses only offenders. We must expand our perspective to include the three primary stakeholders affected by crime and offending — the victim, the community, and the offender. Then our definition of caseload includes a whole different set of characteristics, qualities, and descriptions. It will include Jimmy, the 55-year-old owner of the general store in the town of Glover whose store was the place where Janet cashed 200 dollars in bad checks. It also will include some of the citizens who live in the town of Glover, who are upset by this behavior and the possible effect that this incident will have on their privileges to cash checks at Jimmy's store in the future.

In 1998, the National Institute of Corrections (NIC) sponsored an initiative intended to address the field's need for new job specifications related to community and restorative justice. Since this is a new area for most correctional agencies, substantive job descriptions and specifications are few, leaving many agencies in the dark on how and whom to hire, what kind of direction to provide, how to train staff, and how to evaluate staff performance. Essentially, there is little information on which to base new job duties and tasks demanded in a community restorative justice construct.

DACUM Process

A process known as Developing A Curriculum (DACUM) is a quick, yet highly valid, job analysis technique. The DACUM process is used to determine the competencies that should be addressed in a training curriculum for a specific occupation. It is used to develop job profiles for all types of occupations including top-level managers and other specialized jobs. This cost-effective and efficient technique has been validated through research and compares very positively with other job analysis methods. DACUM is based on three premises:

1. Experienced workers can describe their job better than anyone else.
2. Any job can be effectively described in terms of the competencies or tasks that successful worker in that occupation performs.
3. The specific knowledge, skills, attitudes, and tools required by workers in order to correctly perform their tasks can also be described.

In addition to curriculum development, DACUM profiles can be used in several other ways. They are used

- to develop accurate job descriptions,
- to evaluate whether existing programs provide training for the competencies needed for today's jobs,
- as a pretest to determine the training needs of staff,
- to develop competency-based, post tests for training,
- to develop auxiliary components to a training program, such as computer-based training and video tapes, and
- as the foundation for developing a complete training program for a specific job in the correctional system.

Additionally, DACUM profiles are used for

- developing performance evaluations,
- making career decisions with information about specific occupations, and
- increasing new supervisors/managers understanding of what their employees do or should do on the job.

Retooling: DACUM Results

For its project, NIC identified and brought together persons performing in community and restorative roles and functions from around the country to participate in a two-day DACUM process. The DACUM panel (i.e., Occupational Analysis Focus Group) selected for this process went through a grueling two days of trying to reach consensus on the nature of a correctional job that was designed to be a "resource liaison" to the community. Thus the title, Community Resource Liaison.

Before getting into the results, it is important to briefly discuss the constraints of this particular panel and process. DACUM is designed to be used with a select class of high performing incumbent workers who have experience doing a like job. Since we could not find a complete panel of persons who were doing very similar jobs, we focused on the fact that at least all the people on the panel were involved in doing community-oriented work. Nevertheless, the panel ran into several barriers. Some panel members did not like the nature of the DACUM process, suggesting that it was stifling and represented the very thing they were challenging through their efforts in doing community development and organizing work within a restorative framework. Through further discussion, it was found that some panel members were not necessarily doing community-oriented work, but rather, they were doing

traditional offender-focused work within the community. These barriers, along with the fact that the specific job (i.e., Community Resource Liaison) has not existed in a correctional context anywhere before, made it difficult for the group to reach a great deal of consensus on a variety of job duties and tasks. Therefore, the process was modified slightly to allow a smaller number of people to work together on a focused area of the project. Surprisingly, the group found it easier to work on the knowledge, skills, traits, and characteristics of this new worker than on the more concrete job duties and tasks. Nonetheless, the group was able to obtain a profile that can be used as a resource to agencies for the development of job descriptions, performance standards, and training programs.

General Duties of a Community Resource Liaison Worker

The following is a summary of the job duties and functions resulting from the process followed by the Occupational Analysis Focus Group for a Community Resource Liaison Worker. Overall, these represent the major set of duties and associated tasks to be done by someone who engages the community as a resource and liaison. Some or all of these tasks can be done by one worker, or they can be shared by a combination of staff or others who have a stake and interest in the community.

- *Engage Community Participation.* The worker is an active solicitor of information on community issues, problems and opportunities. It means holding community forums, generating opportunities for dialogue, and identifying and working with established community leadership.
- *Promote Understanding of Restorative Justice and Community Justice.* In this capacity, the worker functions as an educator and trainer around the values, principles, and concepts of community and restorative justice. This means the development of educational media and materials, the delivery of training and education to staff internally and externally, and conducting and/or participating in various community-based conferences, forums, and workshops. An example of this was the "Reinventing Justice" initiative in Franklin County, Massachusetts, where an all-day community forum was held in conjunction with, and as a wrap around training program to, the National Institution of Corrections' video conference on Restorative Justice in December 1996. The video conference was used as a way to educate and bring the community together around community issues and the concept of community and restorative justice.
- *Identify Stakeholders and Partners.* This aspect of the job requires one to identify and work with the various stakeholder groups that exist within the community. A chapter of Mothers Against Drunk Driving, for example, could become a resource to help address the issue of drinking and driving. Or, neighborhood block groups could be organized, using the popular "Enterprise Zone" dollars given to cities and localities to address quality of life issues in those communities. The list is endless and it takes what one colleague suggested as "getting into the streets and neighborhoods, or down in the dirt where the real action is." But overall, it is about identifying

and responding to stakeholder resources, creating dialogue and commitment, and developing future stakeholder resources.

- *Marketing and Communication Externally.* The media is a powerful tool, and this worker must be able to have a relationship with various media groups. This requires developing media contacts, making media presentations, preparing releases, developing media strategies and materials such as newsletters, advising stakeholders on media issues, and coordinating or conducting media training.
- *Conduct Needs and Interest Assessment.* Ongoing assessment of community issues and concerns is a critical aspect of the job. The worker will develop methods and instruments to conduct community assessments. This requires identifying citizen groups and organizational targets, engaging them with an assessment protocol and tool, processing the information, and disseminating and sharing the results with the community for ongoing planning and development. An example of this is a collaborative effort among several counties in California where they are developing a series of community forums for the purpose of gathering information. They are including the community in the planning, design, and implementation of community and restorative justice initiatives.
- *Establish an Action Plan.* Community planning is a critical aspect of the job. Some call it strategic planning. To others it can be simple action and task planning. Nevertheless, the worker here assists communities to establish goals and objectives around relevant community issues. The worker will research sample and model restorative practices to assist community members in choosing and designing their own practices. He or she will assist in the implementation planning and the development of outcome measures. In Boynton Beach, Florida, a colleague reported using “strategic planning” with youth at risk and delinquent youth to plan and implement various community enhancement and restorative projects within their communities. The important feature in this example is that agency administrators are not doing strategic planning for the youth. The youth are learning and using a planning model to accomplish projects and thus developing planning skills and competencies, which they can use in their daily lives.
- *Monitor and Evaluate the Implementation of the Plan.* As in any initiative, program or plan, one must evaluate not only the results of the effort, but also the implementation of the effort. The worker needs to monitor and evaluate the process and outcomes of a variety of projects. This can be done directly by the worker, or the worker can assist and be a resource to the community stakeholders who may perform this type of function.
- *Build Community Partnerships.* This is likely to be the core responsibility of the worker within the community and restorative construct. The worker functions as a developer and builder of partnerships within the community framework. This means assessing community needs and interests, conducting and facilitating meetings, round tables, and symposia. It

requires the development of stakeholder coalitions, advisory boards, task groups, and networks. In this role the worker also will be more effective if she or he joins relevant community organizations for which his or her skills and expertise becomes a resource. The worker also will need to attend formal and informal community gatherings and events. It also requires a great deal of technical and logistical support such as creating communication mechanisms and providing meeting space, sites, and equipment.

- *Develop Partnership Infrastructure.* You might say that this is the “meat and potatoes” of the job. The worker secures commitment from organizations and agencies including resources and funding. The worker then will maintain documentation and records, develop operational processes and protocols for communication, meetings, and training. The job will entail managing membership and structural changes within various partnerships.
- *Manage Problems, Conflicts and Barriers.* Working with multiple people and organizations at all levels is bound to have problems and conflict. This is even more evident when compared to working within our traditional and professional framework where we could easily maintain distance and sometimes separation from the issues and problems. Community work requires the worker to be in the heart and substance of a variety of issues and problems. Here, the worker will need to facilitate the resolution of conflict, develop conflict resolution processes, solicit and facilitate feedback, create a problem solving norm and atmosphere, and scan and anticipate future problems before they become crises.
- *Build and Maintain Relationships.* Relationships built between people, organizations, and communities cannot be overlooked. Work is done to facilitate and develop dialogue, structures, processes, protocols, and commitments within these relationships. These relationships also need ongoing attention and maintenance. The worker here will need to acknowledge community leadership, be responsive to community needs and interest, create dynamic and fluid processes and structures, develop “learning communities” and relationships, create inclusive structures, processes and environments, and develop and maintain cross agency relationships.

Knowledge, Skills, Traits and Characteristics of the Community Resource Liaison Worker

The knowledge, skills, and traits identified by the focus group as being necessary for a Community Resource Liaison worker may be found in Figure 1.

Additionally, the Occupational Analysis Focus Group came up with several considerations as being significant in the delivery of community restorative services that need to be taken into account when working with the community in this sort of position. These considerations are summarized below.

- *Challenge Conventional Assumptions.* Conventional assumptions about criminal justice often put all of the power and responsibility for responding

Figure 1: Desirable Characteristics of a Community Resource Liaison Worker

<u>Knowledge</u>	<u>Skills</u>	<u>Traits</u>	
Accessing Resources	Analytical	Approachable	
Accessing Information	Communication	Passion	
Community Stakeholders	Computer	Common Sense	
Community Resources	Conflict Management	Positive Attitude	
Criminal Justice System	Letting Go (Sharing Power)	Community Investment	
Evaluation Methodologies	Listening	Patience	
Information and Referrals	Marketing	Compassion	Resourceful
Interpersonal-Intelligence	Consensus Building	Self Directed	
Multiple Systems	Media Relations	Empathy, Energetic	Sense of Humor
Political Acumen	Meeting Management	Flexibility, Frugal	Sensitive to Diversity
Principals of CRJ	Outreach and Recruiting	Non-judgmental	
Process of Change	Public Speaking	Sensitive to Limitations	
	Synthesize Information	Non-territorial	Team Player
	Training Delivery	Organized	
	Victim Sensitivity	Model Restorative Principles	

to crime in the hands of our government system. Currently, victims, the community and offenders do not share the power and responsibility to address crime. A Community Resource Liaison worker must challenge conventional assumptions by fostering an atmosphere of sharing power and responsibility. The worker must educate, develop resources for, facilitate, and support shared power and responsibility.

- ***The Community.*** Recognizing that there are various definitions of "community," the community should nonetheless be recognized as a victim of crime and as such, should be directly involved in the justice process (i.e. resolution of crime). Because every community's needs and characteristics are different, problems relating to crime need to be defined and solved at the local level. The community has shared responsibility for the safety and behavior of its members. It should take a leadership role in providing means for victims' needs to be met, conflict to be resolved, and offenders to be rehabilitated and reintegrated. Citizens create the commonwealth; managing behavior and resolving crime (or, doing justice,) is public work. Citizen action is necessary for the reasons described above, but it also empowers citizens to be actors in the life of their community — workers who together build the commonwealth.
- ***Shared Power and Responsibility.*** The community, victims, and offenders will be more satisfied with direct involvement. Mediation and other forms of alternative dispute resolution get to the needs of victims and bring resolution. More acceptability occurs in the community by making it safer, decreasing response time to conflict, and addressing what's wrong. Repair is more relevant and satisfactory. When the community and the victim are involved it costs less and offenders pay more. Restitution does happen when shared by victims, offenders, and the community.

- *Education.* It is important to have ongoing education around restorative justice and community concerns. This would be facilitated by developing training, hosting forums, distributing materials, and initiating neighborhood walks in conjunction with education and corrections personnel. One must work to educate the general populations about restorative justice in general and local initiatives in particular.
- *People/Relationship Centered.* Community and restorative justice is people/relationship centered and requires continued communication, which is circular, internal and external to an organization, and is constantly evolving. It also requires a fluid procedure, which is inclusive of community partnerships and allows for their changing needs and continual input.
- *Art versus Science.* Community and restorative work requires one to be present while not imposing, holistic and circular, and stimulating but not directing. It cannot be forced into single cultural parts. It works on many levels at once, and pays attention to intangibles. It has multiple forms of expression and communication. You learn as you go along and your intuition is important. You move in many dimensions at once. Passion shapes performance.
- *Organic Process.* Community and restorative work is organic by nature. Actions are guided by the vision (as plant life grows toward the sun). Caution must prevail about defining partnership too quickly as ambiguity and silence create space for ideas to surface. Reflection on experience guarantees future doors open as you go, which cannot be predicted or controlled. Principles and values are constantly revisited. There is a sense of life in the work people do together.

Specific jurisdictional examples of community and restorative job descriptions related to the above knowledge, skills, traits and general duties are provided in Appendix B.

THE NATURE OF CHANGE IN IMPLEMENTING NEW ROLES

The Personal Level of Change — A Concerns-Based Approach

I would be remiss if I did not address the issue of change within the context of the changing job roles of professional probation and parole officers. Moving toward and adopting a community justice system based upon the principles, values, and practices of restorative justice is a radical change for probation and parole officers. Many of these officers have spent the past 20 years learning how to manage a variety of offenders on caseloads through a variety of supervision and treatment interventions.

It is the professional culture, with different values and a different orientation, that has made change and my part in it difficult at best. Professionals in this culture have built their professional identities around a certain orientation and values that are now being questioned and challenged.

When working with the Department of Corrections on implementing the community reparative boards in Vermont, I recall a senior manager at a state-wide meeting emphatically saying, "I came into this business 25 years ago to manage and supervise criminal offenders, not to do 'sales and marketing.' I

do not have the skills to do that type of work.” As might be expected, staff were fearful and threatened of what the change meant to them and what they had worked for all these years. There also is a very natural resistance to change, especially if it has an impact on something that is of significance to you personally. For most people, jobs are a very important part of their lives. In fact, I received a timely email just the other day regarding a restorative justice initiative being implemented in Vermont that so clearly makes this point. The message was as follows:

D.....called to report that there is a Barbecue for Restorative Justice in Burlington at the School on Pine Street (I think) on Wednesday, June 24, 1998 at 1730 hours. It is important for those of us who can to be there and go on record regarding the encroachment of privatization of State jobs, which this concept represents.

The point is that we cannot look at this as merely a lack of understanding around the concept of Restorative Justice and debate what it will or will not do to state jobs. From a change perspective, we must recognize that change is about people and their personal perceptions of how change will impact them.

The following are some thoughts and considerations on the process of change as it relates to probation and parole, professionals new and experienced, who will be doing their jobs based on community and restorative values, principles and practices in the future.

People Change First

Change must be thought of in terms of a venture into the affective world of those who are directly tied to the change. Michael Fullan (1992) describes this as the subjective meaning and subjective reality of change. Each individual possesses perception in terms of time, place, good, or bad. These personal meanings and realities about change vary from one person to another and are altered in unpredictable ways. Failure to recognize and consider this in a change effort is likely to yield a failed implementation, or at best a “superficial” perception that a change has been implemented. The bottom line is that those who desire a change to truly happen must approach it as an extended process of coming to grips with the multiple realities of people who are central to implementation.

Assumptions Underlying a People Approach to Change

Early research in the field of education led to the development of a Concerns Based Adoption Model (Hord, Rutherford, Huling-Austin, and Hall, 1987) for managing and leading change. Shirley Hord and her colleagues developed the Concerns Based Adoption Model (CBAM). The assumptions of this model provide an excellent perspective for administrators, managers, and policy makers when considering major change efforts that will impact people responsible for implementing all or part of that change.

- *Change is a process, not an event.* Failure to recognize this surely is going to present an obstruction to a particular change effort. Many change initiatives are projected as a single event, such as a central administrator introducing a new practice at a staff meeting and expecting it to be implemented, as if that was all there was to it. Change is a multidimensional process involving many variables, sources and participants. It is a process occurring over time. Many change initiatives get evaluated after the first year and without any consideration for the process. Thus, the lack of results deems the innovation a failure. This is problematic since the cause may be the implementation process and not the quality of the innovation.
- *Change is made by individuals first.* A common notion, especially among central administrators and developers, has been to treat change in broad, impersonal terms and as a package or program. Everyone is affected by change. Therefore, focus and attention must be given to individuals who will bear the affective impact, each in their own way. Change in a system institution is considered to have taken place only when a substantial number of individuals have embraced and absorbed the change.
- *Change is a highly personal experience.* The assumption is that every individual has different concerns and will react differently to a change effort. Often individuals are treated just as part of a large collective group, and the focus is on the group. Individual differentiation is the key. Some persons adopt the use of an innovation more readily than others. Since most people respond differently to change, facilitation and strategic interventions should focus on where each individual is in the process. This will ultimately support and enhance the process of change.
- *Change entails multilevel developmental growth.* Personal change cannot be viewed as a cognitive, rational function. The broad notion of change as a process also applies to individuals. When individuals demonstrate growth they move through a process of changing feelings and skills. As individuals shift in their feelings and skills, real change takes place. People move through stages of feeling and levels of skill as they use and experience a new practice.
- *Change is best understood in operational terms.* All too often, an innovation is delivered as an abstract conceptual package filled with theoretical terminology and language. People who are involved in the change need to present the innovation in an operational sense so staff can see how it will be used in their particular environment and what it will entail in the daily schematic of work activities and duties. In a probation or parole office, staff want to know, "How are referrals going to be made to a community group conference?"
- *Change facilitation must suit individual needs.* Drawing from the assumption that "change is a highly personal experience," facilitation should be an effort to address the diagnosed needs of individual users. Facilitators need to approach individuals systemically with interventions designed to meet their specific needs.

- *Change efforts should focus on individuals, not innovation.* Many times implementing an innovation means introducing new materials, tools or objects for people to use. For example, simply giving all clerical workers computers in an attempt to improve quality and efficiency greatly underestimates the impact on these workers in using the equipment. People implement the change. Objects and strategies are only tools. Thus the real meaning of any change is with the human component.
- *Change is imminent in our world of justice.* How we go about this change is the key to being effective and successful in managing our many efforts. Central to all these changes are the people, including probation and parole officers, who are affected by and who have to practice the change. Change is a highly personal experience. People change first. It is only then that community and restorative values, principles and practices will truly manifest into long-lasting change for a better and more responsive justice system for all: victims, communities, and offenders.

CONCLUSION

As we move rapidly to engage the community, work with victims, and include stakeholders in our justice processes, we as planners, administrators, and change facilitators must be attentive to the personal needs of people when trying to implement new values, principles, and practices. Additionally, we must recognize that our professional work in recent decades was valued and relevant to meeting the needs of our communities and the general public, and that many professional practices that we are doing will remain relevant and needed.

There remains a legitimate place for many of our professional probation and parole staff who have developed professional supervision, treatment and intervention competencies to be used with serious criminal offenders. However, it is when we can truly integrate the principles and values of community and restorative justice in all our work with offenders, victims, and communities, that the potential to turn the corner on the fear of crime, offending, and harm will manifest in extraordinary ways.

Again, this particular change in the field of probation and parole is not just some great and bright idea of a few correctional administrators, judges, prosecutors, or police chiefs. The change is very much driven by a refocusing of public interest in the need for justice to be more responsive by paying attention to the needs and interests of communities and victims, and by including them in every aspect of justice processes. Some will certainly see this as a major imposition on the field and their professional work. However, I hope many will see this as an opportunity to be a part of an effort that is truly significant and substantial in its potential to get our justice systems, our communities, and the public back in sync for effectively preventing and addressing crime and conflict in our neighborhoods and communities.

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JUSTICE AND THE COMMUNITY

Dennis Maloney

Director
Department of Community Justice, Deschutes County, Oregon

This is the real difference in restorative corrections philosophy. Restorative justice can't be manifested merely as a philosophy superimposed on existing service delivery corrections structures. Take restorative justice to its logical conclusions, and neighborhoods and communities would assume the responsibility for managing offenders and the process by which that offender becomes reconciled to the victim in the community.

Joe Lehman, former Commissioner of Corrections for the State of Maine:
At the annual Justice Fellowship conference in Washington DC, 1995

INTRODUCTION

Consider the following circumstance. After working late one evening, you catch the last bus. Departing the bus at your regular stop you begin your walk toward home. As you approach your home you notice a troubling situation. You hear a group of children crying. They are standing over a woman lying on the sidewalk. As you quicken to the scene you notice what appears to be a male figure slipping away into the shadows toward the alleyway.

What do you do? I have asked this very question to thousands of citizens in dozens of states. The response is consistent. First, you attend to the woman, check her vital signs, and determine the nature of her injury. Second, you observe the children to find out if they too have suffered an attack. Third, you summon a neighbor to call 911 for emergency assistance and to dispatch the police to locate and arrest the offender. This sequence — attending to the crime victim, taking the pulse of the surrounding community, and then dealing with the offender — appears to be our universal protocol when responding to crime. If this is, in fact, the series of actions we take at the moment crime occurs, why does our criminal justice system appear to adhere to virtually a reverse protocol? We appoint government financed legal services for the offender, provide counseling and therapeutic interventions, and even upon incarceration provide extensive educational and vocational services. All the while, crime victims languish to deal with their trauma through their own means.

FLAWS WITH THE CURRENT SYSTEM

Thus, the public has come to conclude that our criminal justice system has become so offender-focused that in essence we have become offender advocates. Many even perceive us to be offender advocates at the expense of victim and community needs. This paradox will and should never be acceptable. This is a critically flawed premise of our criminal justice system.

A second critical flaw of the system has to do with the over-dependence we have placed on incarceration as the preferred and, in many cases, the only

means to supposedly hold offenders accountable for their behavior. There is growing evidence that we can more deeply impress upon the offender the personalized effects of their behavior by involving the victim throughout the proceedings. This, in turn, can actually cause a much deeper sense of offender accountability.

Let us first acknowledge that there is an absolute place for jails to control dangerous offenders during pre-trial deliberation and subsequently to punish those offenders for their wanton acts. These offenders require secure prisons for lengthy periods of time. But we also need to remember that the vast amount of victimization involves property loss at the hands of offenders with no demonstrated tendency toward violence. These crimes include such acts as theft, burglary, vandalism, and passing bad checks. These crimes account for up to 90% of all crimes committed. In these cases, it may be far more satisfactory, and certainly less costly, to hold the offender directly accountable to the victim and the community. This can be accomplished by allowing the victim to determine an appropriate level of restitution, identify a meaningful amount of community work service, and with the aid of a trained mediator, arrange for the victim to express face-to-face to the offender the trauma they suffered as a result of the crime.

In fact, if the criminal justice system reserved prison space for dangerous person-to-person offenders and those chronic, unstoppable property offenders, we could take the savings and provide extensive and much needed treatment service for victims. We also could finance viable crime prevention strategies, the very best way to prevent victimization.

Which brings us to a third shortcoming of the criminal justice system, the absence of any visible commitment to crime prevention. We have a system with the most comprehensive information available about the whereabouts, timing, frequency, and consistent patterns of criminal activity. Yet, if we weigh the criminal justice system's dedication of resources to preventing crime it is woefully inadequate. Just as the system, in large part, ignores its responsibility to crime victims, so too the system avoids a genuine crime prevention discussion. The system seems content to just plod along managing the movement of offenders, too often relying on unimaginative, yet very expensive, responses. This is terribly short-sighted.

BUILDING A NEW SYSTEM

In Deschutes County, Oregon and in a handful of other jurisdictions across the United States, a group of justice system officials has teamed up with local elected officials, legislative representatives and private citizens to acknowledge the system's shortfalls and, more importantly, build a better system of criminal justice — a system we have come to identify as community justice.

Within a community justice framework, the victim is regarded as the paramount customer of the justice system. Offenders are held accountable in constructive and meaningful ways, and crime prevention is viewed as a high priority. Citizen participation in attending to victim needs, determining priorities, mediating restitution requirements, and supervising community work service projects is central in a community justice approach. Justice

system officials are careful to state that this shift can occur while remaining steadfast to due process requirements.

Deschutes County has taken several steps to demonstrate they are serious about their new vision for the justice system. Following a series of meetings convened by presiding Circuit Court Judge Stephen Tiktin regarding the need for the local justice system to elevate victim services and crime prevention, the county emerged with an official resolution to respond to the group's leadership. This resolution spurred a series of actions that have moved the system toward a community justice model post haste.

Community Justice Resolution
Resolution No. 96-122

Whereas, the citizens of Deschutes County should be entitled to the highest level of public safety, and

Whereas, increasing rates of juvenile and adult crime pose a threat to our citizens being and feeling safe, and

Whereas, a comprehensive crime reduction strategy requires a balanced emphasis on crime prevention, early intervention and effective corrections efforts, and

Whereas, Community Justice embodies a philosophy that engages the community to lead all crime prevention and crime reduction strategies,

Now, therefore, the Deschutes County Board of Commissioners adopts Community Justice as the central mission and purpose of the county's community corrections efforts. Furthermore, the County hereby creates a Department of Community Justice to replace the Department of Community Corrections.

BE IT RESOLVED that the Department of Community Justice shall work in partnership with the County's citizenry to carry out effective crime prevention, crime control and crime reduction initiatives.

BE IT FURTHER RESOLVED that the County shall construct a Community Justice Center to provide facilities and programs for victims of crime to be restored, for offenders to be held accountable and to gain the competencies to become responsible and productive citizens, and for the community to have access to an organizational center for a broad range of crime fighting efforts.

DATED THIS 25th day of September 1996, by the Deschutes County Board of Commissioners.

Here are some examples of ideas that have been implemented since adoption of the resolution.

Providing Better Services To Victims

The Deschutes County District Attorney's Office has developed a full array of victim services. The department attends to victim's needs from the time a

crime is reported to the time the last restitution payment is made. This victims assistance program is patterned after hospital emergency coding. Person-to-person crimes are regarded as code blue, and the program will assure that a victim has a supportive volunteer by their side within minutes of a call. Lesser crimes are responded to within hours and victims suffering minor crimes are contacted within a couple of days of the report. Victims also receive other services such as trauma counseling, temporary housing if required, legal information, and assistance with recording losses. The message is clear to crime victims: *"You are an upstanding member of our community; you have been wronged, and it is our job to do everything we can to make certain you are restored to the highest degree possible. We will stand by your side until a sense of safety returns."*

The Circuit Court has prompted a complete range of opportunities for victims to be directly involved in the justice process. The court has placed a particularly high priority on victim-offender mediation services. In this approach, victims can choose to meet face-to-face with offenders to explain the human consequences of their losses, state their need for recovery of financial losses, and determine appropriate community service requirements. The session is facilitated by a highly trained volunteer. The newly formed Deschutes County Department of Community Justice coordinates the program for the Court. Early results of this approach are very encouraging. Victims report a higher level of satisfaction with mediation than with traditional justice system processes. Also the agreements reached are far more durable than standard orders of probation. Offenders pay restitution at a higher rate, approaching 90% compared to a national probation average of just 33% payment.

The Community Justice Department is converting positions once focused on offender counseling to victim support and counseling. The old system asked of each law enforcement referral — "What is the status of the offender? What are the offender's needs? What services are required to change the offender's behavior." The new system asks — "What is the situation of the victim? What is the degree of the victim's hardship? What does the offender need to do to repay the victim?"

The Department continues to manage and supervise the offender's behavior. But the primary context of the supervision has to do with the offender's responsibility to restore the victim and pay the restitution. Accountability, not counseling, is the highest priority of the offender's supervision.

Managing Property Offenders More Creatively

The business community has joined forces with the Department of Community Justice to form what has become known as the Merchant Accountability Board. The Board was developed for several reasons

- Shoplifting, retail theft, and bad checks were taking a terrible toll on area merchants, in some cases threatening the viability of some small businesses.
- The District Attorney's office was reaching a point where it could hardly

afford to prosecute the flood of these cases, as each prosecution was costing \$600-\$900 from the office's budget for attorney fees and other staff costs. This cost was the same whether the theft was a \$100 item or a \$10 item.

- Merchants, while supportive of the Victim Offender Mediation Program, could not afford to take the time to go through mediation on every case.

As a result of these circumstances, the merchants forged a program whereby one merchant would serve as the surrogate victim for a dozen or so cases and determine an appropriate level of restitution. Under this effort, the case is handled without the need for costly prosecution, the merchant-victim gets to impress upon shoplifters and petty thieves the gravity of their effect on a small business family and the merchants receive their restitution more quickly and at a higher rate than through conventional justice processes.

Restoring Victims, Community and Offenders

One of the featured changes that has occurred with the Department's commitment to Community Justice is to view the community service sentence as a labor force to build more viable communities. Community work service has traditionally been used primarily as a punitive measure for offenders. In Deschutes County, with the umbrella of the Community Justice philosophy, work service now is seen as a means to restore victims and the community.

Within this context, the Department has worked diligently with community non-profit agencies to tackle an array of innovative projects. These include

- partnering with a local Rotary Club to help construct a child abuse center;
- joining forces with a local anti-poverty agency to help raise money for a 70-unit transitional housing shelter;
- working to construct a community park in honor of a long time community educator; and
- most recently, developing a formal relationship with Habitat for Humanity, whereby offenders will build an entire Habitat for Humanity house.

With this approach, the community gains tangible benefits from the Department, and offenders begin to build a bond with the community thereby reducing the likelihood of vandalism on their part. The community has demonstrated overwhelming support for this approach.

Putting Muscle Behind Crime Prevention

This issue may well have stirred the county's most creative thinking. In analyzing the state's juvenile corrections system, the county determined that Oregon had inadvertently created an incentive for counties to use state corrections facilities. In Oregon, the counties pay no price for use of state institutions so, in essence, there is a free option for counties to access for placing troublesome, but not necessarily dangerous, juvenile offenders. Not surprisingly, there is, and there likely will always be, pressure to expand juvenile institutions to house a seemingly endless supply of the counties' juvenile offenders. While this is a great deal for county governments, it only

serves to boost prison populations and costs, thus threatening other essential state services such as education. Deschutes County and the Oregon Youth Authority hammered out a way to reverse this trend. The county offered to shift to a block grant funding base whereby the county would manage non-dangerous juvenile offenders who would otherwise have been placed in state institutions in its local facilities. The local programs are paid for with funds from the block grant with the agreement that any savings could be reinvested in crime prevention strategies. And the savings could be significant—as much as several hundred thousand dollars a year. A citizens' Commission on Children and Families is managing the money. These citizens bring a strong business perspective to the program and clearly differentiate between expenses and investments. This innovative approach won support from the state legislature and Governor Kitzhaber.

If this program works and expands to other counties, Oregon will win two ways. The current prison population explosion can at least be restricted, and dollars once destined for costly prison operation can be reinvested in community crime prevention strategies.

CONCLUSION

These are just a few examples of efforts undertaken since the community justice initiative was launched. With citizens and victims more involved, there is an endless creative energy available to transform the criminal justice system to a community justice system.

In summary, community justice clearly responds to victims' needs first, offers creative solutions to hold non-violent offenders accountable, and features crime prevention as an important aspect of the criminal justice system's daily activities. Central to this philosophy is the active participation of citizens in all aspects of the justice system. This citizen participation serves to expand the sense of responsibility for safer communities far beyond justice system professionals. With this new sense of ownership and responsibility, citizens willingly bring energy and resources never before made available through tax supported means. Armed with a new philosophy and equipped with citizen provided leadership and resources, the future looks brighter and safer for those places in pursuit of community justice.

BUILDING HOPE THROUGH COMMUNITY JUSTICE

Mark Carey

Director
Dakota County Community Corrections, Hastings, Minnesota

Adapted from the keynote address delivered by Mark Carey at the 23rd
Annual APPA Training Institute held in Norfolk, Virginia, August 30 -
September 2, 1998

Community justice strategies and programs are neither communal or just if they are not rooted in shared values reflective of the undivided community and if they are not concerned for the nurturing and wholeness of all who are affected by these initiatives. They are, at best, disguises for the maintenance of the status quo. At worst, they erode what public unity may already exist, ensure egregious and inequitable outcomes that do little to address the core issues that were the impetus for the initiative in the first place, and set in motion future social problems. The hope of community justice is in avoiding these pitfalls.

Carl Wicklund
Executive Director
American Probation and Parole Association

COMMUNITY JUSTICE

Community, justice, and values. Are you inspired when you hear these three words? Do you feel that warm rush of excitement and anticipation? If you are at all like me, these are the thoughts that come to mind when you hear the words of community, justice, and values:

- B-O-R-I-N-G.
- Politically correct.
- Old wine in new wineskin.
- I have no idea what any of those words mean, individually or collectively, or how this should affect me.
- Impractical.
- Time to settle in my chair for a snooze.

I am going to put some life back in those words. Why? Because we are learning that when these words are put into practice, they are life changing. More importantly, they are reshaping the very communities in which we live. They are putting a face on anonymity.

Something extraordinary is happening, first in our backyards, and now in our front yards. This something is tapping into a latent energy source, long left dormant and assumed apathetic. I am talking about vibrant community participation. I am talking about community justice, or what Dr. Martin Luther King called "soul force." All across our neighborhoods, attempts are being

made, many of them highly successful, to engage citizens in shaping the services offered by government, and more importantly, to become involved in decisions on how to restore community harmony and peace. Citizens are being given opportunities to contribute their skills, talents, and resources, which help make both individuals and neighborhoods stronger and outcomes much bigger than those through individual effort. In a profession that is constantly confronted with human suffering, this hopeful message is refreshing and invigorating.

Why should you care? Why should this topic be of any relevance to you? Because whether you realize it or not, you are a gatekeeper. You are standing in the gap. You hold a key to unlock the door from community hopelessness and apathy, to one of belonging and hope. You—as probation officers, corrections officers, supervisors of parole, criminal justice professionals—have the power through individual effort to unleash the tide of community compassion and resources. I say this with all sincerity and conviction because I, along with so many of you, am witnessing this unfolding of drama in our community justice efforts.

About a year ago, our chief judge Leslie Metzen, First Judicial District of Minnesota, called us up and said that she wanted to see what this community conferencing thing was all about. After she attended, she said something that helps us contrast a community-based process with a traditional one. She said, “I have been on the bench for seven years. Never in my seven years have I ever seen anyone walk out of my courtroom feeling as positive and hopeful as what happened here. We’ve got to start doing things differently.”

I suspect that some of you are practicing community justice daily. Others of you have never heard of the term. Still others fall somewhere in between.

As exciting as this sea of change has been, there also are hazards and perilous signs. Hazards that threaten the present and future efforts to build up our communities and the support communities have received to take charge of their own destinies. I believe that these hazards most often are directly related to the lack of guidance by a set of community defined values.

So, in this article, I would like to discuss

- previous attempts to articulate a set of values to guide our behavior in terms of what it means to be a part of a community,
- three values often expressed by community members that can help guide these community justice efforts, and
- examples of what can happen when these values are absent, and when they are present.

Before I do this, however, I want to make sure we are clear on what we mean by community justice.

WHAT DO WE MEAN BY COMMUNITY JUSTICE?

Many definitions of community justice have been offered in recent months. For the purpose of this article, I am defining it as community led decision making process to address interpersonal conflict which is marked by

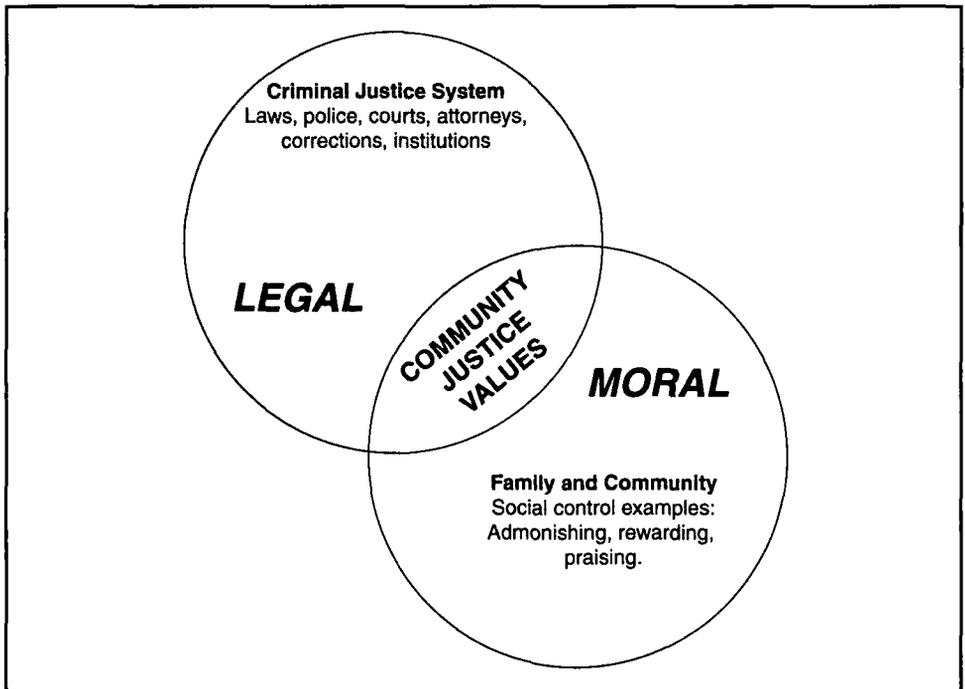
- a problem solving orientation,
- decentralized authority,
- accountability to each other, and
- a consensus driven process.

It is not based on a reliance on an expert system, leading to dependence on government. It stems from the belief that crime control best rests with the social system (not police-attorney-corrections-courts), and the idea that moral authority gives credence to legal authority as visualized in Figure 1.

Under community justice, the public has a viable perspective that needs not only to be heard but to be used as "the permissive point." That is, the community's permission should be received whenever feasible, before the legal and authoritarian system takes action. Dr. David Karp from George Washington University notes that judges see snapshots of one moment and the public sees a motion picture. This full picture perception is needed. A few, more well-known examples of community justice in action include

- community policing and probation meeting with neighborhood groups,
- beat probation,
- family group conferencing and reparative boards,
- circle sentencing,

Figure 1



- community courts, and
- circles of support.

In each of these examples, it is the community members who lend their time and skills to resolve problems in their neighborhoods.

Community justice, then, implies that a properly engaged and informed community can make good decisions about individual cases, as well as about what is best for harmed relationships and community building. As long as they are willing to be involved, the system professionals do not need to “stand in their place.” It also suggests that the community is ultimately responsible for its members, and members to the community. None of us is an island.

How does this involve you and me? I noted earlier that we possess a key. A key to which the community traditionally does not have access. It is the key of decision making around what justice means on a case-by-case basis. This is about sharing of power. As a society, we have delegated this power to the criminal justice system. The community is ready to take it back. Are we ready to share it? Are we ready to give it back?

In one jurisdiction, I was trying to explain the value of some of these community justice initiatives to a prosecutor. Our discussion soon got very heated, as he was vehemently opposed to giving that kind of power to the community. At one point, he emphatically exclaimed, “Mark, I am an elected official. I was voted in office to speak for the public. I will *never, never* allow the community to decide what is best for them.” This, and similar experiences, make me wonder if we are ready to truly exercise community justice. I am convinced that justice is best not dispensed from on high, but is discovered where relationships are — at the very place of conflict. This is not a simple delegation to either informed or uninformed group of citizens.

Community justice does not mean that our traditional role as probation or parole officers, correctional officers, victim advocates will go away. We will still need to complete assessments and pre-sentence investigations, supervise offenders, monitor conditions, and meet the needs of victims. But, perhaps not on all cases, all the time, or all in the same way, because we have introduced a new variable: the community.

What will it take to ensure that we as a profession give communities an opportunity to reclaim their moral authority? What will it take for us to ensure that these community-based initiatives succeed for all involved, and not just a majority? What will it take? Certainly it will require patience, persistence, and passion. It also will take leadership — the willingness to take the risk to share decision making with community members and to listen in a responsive way to its members. It’s like Wayne Gretsky, believed to be the best hockey player ever, once said, “You miss 100% of the shots you never take.” Community justice requires leadership that is willing to initiate and guide community involvement and, then, to get out of the way.

In Dakota County, Minnesota, we have received nothing but positive press about our community justice initiatives. Nothing until recently, that is. An editor in the local paper completed a scathing review of the circle sentencing process.

Among other things, he declared that correctional officials bungled it, and that the entire community was not invited. The headline was, “The best laid plans of mice and men — and even judges.” I thought the review was poorly done, full of inaccuracies and misunderstandings, and needed immediate correction; however, I did nothing. Rather than defending it, I am waiting for the community to respond. This was their process, and we responded to their needs and wishes. Many of the criticisms in the editorial were targeted at specific victim requests that the community honored during the circle process. This media response should be expected on occasion and should not deter us from taking risks. Rather than administering justice quickly and quietly in our courtrooms with dozens upon dozens of cases being disposed of in a rapid fashion, many community justice initiatives are open and visible, and, therefore, subject to scrutiny. It is a price we must be willing to pay if justice is truly community led.

PREVIOUS ATTEMPTS TO DEFINE VALUES

Why is it important for communities to define values that shape the community justice processes? Because failure to do so will result in a decision making process that does not represent the entire community which, in turn, may lead to eventual disagreement, sabotage, apathy, or the failure to adhere to the final outcome. All voices must be heard and taken into account—not just the most vocal, the most articulate, or the one that shows up.

Allan Bloom (1987), in his book *The Closing of the American Mind*, suggests that; where there are no shared goals or shared vision, there cannot be community. It is only when we discover and articulate our shared values that we become a community that can hold each other accountable to the larger good. It is through shared values that we reconcile conflict between self-interest and common good.

Where do we look to find some of these common values? My experience is that no matter where you go or who you are — north or south, urban or rural, Caucasian or Asian, rich or poor — there is a core set of values expressed and accepted that are remarkably similar. Let’s look at four examples.

Kindergarten Values

Perhaps a good place to start is with Robert Fulghum (1989), author of *All I Really Need to Know I Learned in Kindergarten*. He simplified the identification of our values by revisiting the rules we lived by in kindergarten. Some of them included

- play fair;
- don’t hit people;
- clean up your own mess;
- say you’re sorry when you hurt somebody;
- put things back where you found them;
- don’t take things that weren’t yours;
- wash your hands before you eat;

- flush; and
- take a nap every afternoon.

While this might be a good place to start, it does not sufficiently describe the process needed to arrive at our values.

Worldwide Values

Researchers have attempted, over many years, to find common values across different cultures and have generally agreed that 11 values were important to be upheld. They included

- honesty;
- integrity (i.e., living what we say we believe);
- promise keeping;
- fidelity/loyalty;
- fairness;
- caring and compassion;
- respect;
- responsible citizenship (obligations beyond ourselves);
- excellence and competence;
- accountability; and
- trust in public officials.

Seven Blunders

Mahatma Gandhi was once asked what he thought of Western civilization. He reportedly replied, "I think it would be a good idea." He noted that there were seven blunders or disbalances that resulted in what he called "passive violence," which ultimately led to active violence and crime. They included

1. Wealth without work.
2. Pleasure without conscience.
3. Knowledge without character.
4. Commerce without morality.
5. Science without humanity.
6. Worship without sacrifice.
7. Politics without principle.

He gave this list to his grandson, Arun Gandhi in 1947. Nearly 50 years later, Arun added an eighth — "Rights without responsibilities." In light of what we are learning about community justice, perhaps a ninth should be considered, entitled "Justice without community."

Ho'oponopono Process

The native Hawaiian process called “ho’oponopono” is similar to circle sentencing and emphasizes the principle of setting things right (which is the translation for the word “ho’oponopono”) (Shook, 1995). The following are the values ho’oponopono’s conflict resolution process seeks to uphold:

- Ohana: Family
- Aloha: Love
- Kuleana: Responsibility
- Ike: Recognition
- Laulima: Cooperation
- Lokahi: Unity and Harmony
- Kokua: Help and Assist
- Ho’oponopono: Set Things Right

The native Hawaiian process seeks to set things right, to promote community harmony, to remind us of our responsibility to one another.

COMMUNITY VALUES THAT PROMOTE RESTORATIVE OUTCOMES

Three core values guide community justice work. They are based on hundreds of experiences with community led practices. However, I do not want to suggest that these values will or should be automatically adopted. Ultimately, the community must shape values. They cannot simply be transported from another location or experience. Each community in their own way must determine what their values are. Despite this, we find these common themes in most communities seeking to establish a process of community justice. The following values are evident in the *process* of resolving community conflict: inclusivity, continuity, and pragmatic hope.

Inclusivity

In order for the process to be inclusive, it must be voluntary. This is a recognition that each individual, no matter the deeds, has worth and, therefore, should be given the opportunity to be involved on a voluntary basis. Only when insufficient participation occurs does the legal system need to take over. Twila Hugley Earle, community justice consultant from Austin, Texas, once said something that I never forgot: “The spiritual strength of a community is inversely related to its reliance on government coercion to create freedom, safety, and order.” We are seeking under community justice to free up and strengthen this spirituality. Therefore, justice must

- be accessible to all affected,
- be consensual,
- involve active listening,
- be marked by honesty and integrity,
- be user friendly and understandable, and

- bring about respect for each other and our differences (i.e., upholds one's dignity and is culturally sensitive).

An example of a community justice initiative that failed to be properly inclusive occurred in an urban area where a neighborhood group was attempting to discourage prostitution and drug trafficking. Upon observing a car driving around the neighborhood repeatedly, the neighborhood volunteers sent a letter to the man whose car was identified. The letter instructed the man that he was observed with a prostitute on the street corner and that he should not return unless he wanted to be reported to law enforcement for loitering. However, his wife intercepted the letter and shortly thereafter divorced him. Later, it was discovered that the man was mistakenly identified. In reviewing the value of inclusivity, one might ask:

- Was his participation voluntary?
- Was the decision to send the letter consensual?
- Were all the affected parties listened to?
- Did the letter uphold the parties' dignity?

Continuity

Continuity includes the concepts of

- fairness and equality, (i.e., justice for all and not just a few),
- consistency between means and ends, and
- local norms held accountable to universal norms (i.e., consistency).

Here again, in Dakota County, Minnesota our profession experienced another community justice initiative that had gone awry. In our neighborhood, a number of citizen patrols were organized and trained. However, they targeted a particular nationality they deemed to be problematic to the community and, in some cases, distributed their own form of justice on the streets without a trial. Clearly, a majority ganging up on a minority is inconsistent with universal norms and is an example of a community operating on one set of values for part of the community.

Pragmatic Hope

The value of pragmatic hope includes the concepts of

- bringing closure and shared ownership,
- building understanding and empathy,
- providing an opportunity for reintegration, and removal of stigma; and
- being timely.

An example of the absence of the value of being future oriented can be found in an urban community, which organized itself to address local crime issues. In an attempt to generate interest in members attending a justice meeting, organizers distributed a flyer to the neighborhood. The flyer sought volunteers to become involved in community conferencing with the participation of victims and offender. It was entitled "It's payback time." Compare this community

response to a flyer that says “welcome back” or another that emphasizes community safety through offender accountability within a support network. Is payback time pragmatic? Does it offer hope for all involved? Or does it simply declare another war, which produces more pain and victims in the end?

END PRODUCT

Many of us are discovering that paying close attention to the process of community justice is more important than the product. If the process is respectful and inclusive, honest and fair, pragmatic and timely, then the product will naturally be satisfactory. The product will be accepted and owned by the involved parties. On the other hand, one way to test how well the values guided the process is to examine the end product.

The values of inclusivity, continuity, and pragmatic hope are evident if the end product answered these questions affirmatively. Did the process:

- Hold the offending party(ies) accountable? Did it denunciate unacceptable behavior and not the person? Did it support pro-social values?
- Change behavior and perceptions? Did learning occur?
- Help bring some closure by allowing for the possibility of victim support, the removal of stigma for the offender, and earned redemption?
- Uphold dignity of all involved? Was it honorable? Did it build up instead of tear down?
- Promote individual and collective responsibility and interdependence?
- Increase energy and motivation?
- Improve community safety?
- Increase connectedness among participants?
- Reinforce norms and rewards for abiding by norms?
- Repair, promote healing, restore self worth?

We have seen initiatives in the name of community justice become an excuse for vengeance, whether that be in the form of intimidation and removal of sex offenders through community notification laws, editorials in the newspaper stating that the most restorative process we could implement is forcing inmates on death row to give up their organs, or intrusive measures in the name of public safety such as aggressive searches, gun sweeps, and DUI roadside checks.

Although the community must ultimately determine these values, government has a critical role to play. One of the functions is to ensure that community values fit constitutional values of free speech, right to liberty, etc. (i.e., universal norms). Government should provide guidance but not dictate. Secondly, if there is no consensus, or if individuals do not voluntarily participate, there must be a fall back position. The legal authority must uphold that of the larger community.

Finally, government has the capability to assist community members in organizing and addressing issues. As in family treatment, we need to

understand that in order for a community to heal itself or gain strength, the therapist holds the space. As public officials, we can help the community by holding the space.

CONCLUSION

Community justice is not without challenges. Dr. Sampson, from the University of Chicago, and two of his colleagues, have completed research demonstrating that disadvantaged communities are marked by an inability to exert social control and fulfill collective objectives. The strongest communities exist where the mutual dependence is the highest. Many of our communities lack shared values and have a culture where it's every person for himself or herself. The ability to exercise mutual accountability and support is greatly hindered in this type of environment. We have a lot of work to do.

Despite these obstacles yet to be scaled, there is new growth emerging in our field, which is lending great promise. In Figure 2, I offer an allegory to illustrate our evolution toward community led justice.

As a profession, we have looked within ourselves and have shown that we are willing to walk this path. We must now be ready to help guide discussions of shared values so that these community justice processes accomplish harmonious communities for all involved. We are experiencing the unfolding of a drama. A drama that can end with stronger, more involved communities, or with damaged relationships. My observation is that we are witnessing more the former than the latter. But, we must be thoughtful on how these processes are being used to ensure we get the results we are looking for.

There are individuals who are cynical or skeptical of these community justice initiatives, who describe them as a disguised form of vigilantism. As critics they offer us good advice on how to fill the cracks and correct any defects. They must not be silenced but encouraged to voice their concerns so we may learn from them. Despite its potential pitfalls, I believe we are entering a pivotal time in our history as a profession. Are we willing to share power? More importantly, are you willing to *initiate* the sharing of your power? Your key?

In the movie, "Apollo 13", there is a scene where two high level NASA officials are talking about all of the problems with the flight and that the unit may very well crash upon reentry, making it the worst moment in NASA's history. In response, the director of flight Operations turns to them and says, "With all due respect, sir, I believe this will be our finest hour."

I, too, believe this may be our finest hour and not a misguided minute.

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Figure 2

A SEASON OF RENEWAL

The tree stood firmly. She was a majestic sight. Tall, thick, expansive and lush with greenery. Daily the tree would drink deeply from the sun's nourishing nectar. She was happy and it was evident to all who passed under her protective shadow. The birds chirped their appreciation; the moon was glowing with admiration. The tree's trunk was solid and supported a massive weight.

She was nearly 50 rings old when the winter of discontent visited her. It was a burdensome season. The Windmaster blew hard, unleashing a flurry of icy jabs. But, the Tree stood firm and weathered the challenge. The tree spent that spring in recuperation. Tired, but resolved, the Tree appeared unnerved by the trying event. By summer she was singing her usual favorite tune. And the birds chirped their appreciation; the moon glowed with admiration.

Alas, the Windmaster returned as expected. But the force of his return was unexpected. It began early. Indeed, the storm clouds had gathered yet in the early days of autumn. It was a portent of things to come. The lightning clapped. The thunder shrieked. A rising cacophony illuminated the fury of what was yet to come. First came the ice storm, a rush of cold daggers that pierced her trunk. She hunched over, shivering. Even the unfallen coat of leaves, which stubbornly hung on, could not retain her warmth. Her sap stiffened and yielded no assistance in such wrath.

Then the heavy blankets of snow fell like a shroud. Sticking firmly to the crystallized appendages, the snow heaved its wet weight upon her slumped figure.

The Windmaster looked upon her with puzzlement. "Stand up," he insisted. "You have great responsibilities. Your oxygen supports the life that teems around you. Others depend on your strength for breath and shelter." The tree creaked as she spoke, "I will be all right. It's just that the burden of winter has taken my vigor. Surely, the summer substance will restore me." And the Wind looked on as he expelled the remnants of winter.

The spring and summer seemed to have shortened. The leaves reached less high and the tree sang less. The seasons pressed on, as they inevitably must do.

Once again, the winter was harsh. And the tree creaked and swayed more. And the Windmaster looked on more closely and with more sympathy. But, alas, the lightning clapped and the thunder shrieked and Windmaster gushed forth. It was no use to resist. And the Windmaster quit reminding the tree of her obligations.

Two more wintry seasons passed by, and the time of renewal once again shed its sunlight. One of the tree's two major boughs now hung at an angle, to the ground. She no longer appeared stately. The birds no longer chirped in her safe haven. The moon turned its back and looked elsewhere to beam her admiration.

Protruding from the tree's base appeared a startling discovery. Unnoticed before now, it reached upward to mid-trunk. A sapling. Energetic, ambitious, with unabashed enthusiasm, it sprung forth without fanfare from the roots of its mother. It was smiling, and humming a nursery rhyme. The tree looked upon the youngster with pride. The moon glanced over its shoulder and winked. Perhaps this will be a season of renewal after all.

Mark Carey, August 30, 1998

SAMPLE COMMUNITY SURVEY

Please answer all of the following questions by *circling* the responses that best fit *your* opinions.

	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree
1. I often avoid going out during the daytime because I am afraid of crime.	1	2	3	4	5
2. This neighborhood is a better place to live now than it was a year ago.	1	2	3	4	5
3. My fear of crime is very high.	1	2	3	4	5
4. Most of the crime problems around here are caused by drugs.	1	2	3	4	5
5. There is a good chance that I will be the victim of a property crime (theft, burglary) this year.	1	2	3	4	5
6. I often avoid going out after dark because I am afraid of crime.	1	2	3	4	5
7. Fear of crime is very high in this neighborhood.	1	2	3	4	5
8. There is a good chance that I will be the victim of a personal crime (rape, assault) this year.	1	2	3	4	5
9. Most of the crime problems around here are caused by gangs.	1	2	3	4	5
10. I am more afraid of crime than I have ever been.	1	2	3	4	5
11. Most of the crime problems around here are caused by unsupervised kids.	1	2	3	4	5
12. Physical improvements will make this neighborhood a safer place to live.	1	2	3	4	5

Driving? _____ Very Safe _____ Pretty Safe _____ Somewhat Unsafe
 _____ Very Unsafe _____ Don't Go

19. Do you and your neighbors get together for social events? (Check the answers which best represent your opinion.)

Often _____ Sometimes _____ Occasionally _____ Rarely/Never _____

For community needs discussion/meetings?

Often _____ Sometimes _____ Occasionally _____ Rarely/Never _____

20. How do you find out about news events in your neighborhood?
 (Check all that apply.)

School _____ Television _____ Metropolitan newspaper _____

Neighborhood newspaper _____ Radio _____ Neighbors' chat _____

Family/Friends _____ Self (own observations) _____ Other _____

Please provide the following background information as indicated.

21. What is your age? _____ years

22. What is your sex? _____ Male _____ Female

23. How many years have you lived in this neighborhood? _____ years

24. How many residents are there in your household? _____ residents

25. During the last year, have you: (circle correct answer)

a. been the victim of a property crime (theft, vandalism)?	yes	no
b. been the victim of a personal crime (rape, assault)?	yes	no
c. taken additional steps to protect yourself from crime?	yes	no

26. Additional comments?

Adapted from:

National Crime Prevention Council. *Planning is a verb*. Washington, D.C.: Author
 Corder, G. W., Eastern Kentucky University in Police Executive Research Forum and
 NCPC, 1994. *Neighborhood-oriented policing in rural communities: A program planning guide*.

National Center for Community Policing, School of Criminal Justice, Michigan State University in Police
 Executive Research Forum and NCPC, 1994. *Neighborhood-oriented policing in rural communities:
 A program planning guide*.

JURISDICTIONAL EXAMPLES OF JOB DESCRIPTIONS FOR COMMUNITY AND RESTORATIVE POSITIONS

Promoting collaboration and partnership between the justice system and communities to address the needs and interest of the community require new competencies. Some agencies have been at the forefront in defining the new job roles, responsibilities, and requirements of this new breed of worker. The following is a sample of agencies that have designed new jobs in the area of community and restorative justice.

Vermont

Vermont began a community restorative justice initiative in 1994. One major part of this program was to design or redesign the staff role associated with a field office to implement and run a reparative probation program. This position is called Reparative Board coordinator. Reparative coordinator positions were established and funded to assist the start up of the program. The general duties of the reparative coordinator include:

- provide consultation to the court, state attorneys, and defense attorneys regarding referrals to Reparative Probation program;
- prepare cases to present before the Reparative Board,
- verify offender contract compliance,
- manage and facilitate administrative matters and case processing for the Board.
- coordinate orientation and training to the Board.
- arrange for community resources and service providers.

The following exists in the Personnel Job Specification for the position:

Administrative, coordinating and liaison work at a professional level for the Department of Corrections involving the implementation and oversight of a reparative probation program for offenders. Duties include recruitment of volunteers for Reparative Boards, development of reparative placements, and oversight of offender contract completions. Work is performed in an assigned district under the supervision of an administrative superior.

Through use of community based resources, develops and implements a range of activities for offenders sentenced to reparative programs. Arranges for victim-offender mediation, community work service, restitution, victim empathy programs, and a variety of training courses. Recruits and trains volunteers to serve on Reparative Boards. Collects and verifies information on offenders and prepares and presents offender cases for the Reparative Boards. Coordinates and monitors offender performance of assigned activities and verifies completion. Reports non-compliance to the Court or to the Parole Board. Recruits volunteers to deliver reparative activities and negotiates and prepares contracts for their delivery. Performs related duties as required.

At the onset there was resistance and concern on the part of traditional corrections staff with the notion of working with volunteers and doing correctional business through community boards. This way of doing business, in fact, is very foreign to a staff who are rooted in a traditional style of delivering correctional services (supervising and monitoring offenders). However, once staff began working with the community to establish the boards, it became apparent that the experience of working with communities and citizens can be very rewarding. Two long-tenured staff managers claim that they were having the best time of their careers, while at the same time being challenged with a whole new way of doing business. As one manager reflected about working with boards, "I've worked in this business for 20 years, doing every aspect — and this is the best time I think I have ever had. It's fun. There are a lot of interesting people out there." A manager at another site echoed that by saying, "I'm having the greatest time of my life — working with my boards."

Arizona

Pima County, Juvenile Court in Tucson, Arizona, has implemented a position called restorative justice coordinator. This is a newly created position with the Pima County Juvenile Court Center. The position will have the responsibility for assisting the Juvenile Court, the community, and other community agencies in establishing, improving and expanding the role of communities in addressing youth related issues.

Pima County's restorative justice program is designed to facilitate an environment in which a neighborhood or community is empowered to foster meaningful relationships with its youth. The program is intended to create a mechanism through which the neighborhood/community can transmit its values and, ultimately, transform a neighborhood/community into one of hope, possibility, and connectedness with its youth.

The tasks of the restorative justice coordinator include but are not limited to the following:

- Assist in the initial identification of neighborhood/communities interested in learning about and participating in a Restorative Justice Program through the use of media (visual, print, radio) statistical data based on trends, and utilization of risk/needs information.
- Assist in mobilizing concerned citizens from identified neighborhoods or communities.
- Serve as a liaison between juvenile court, neighborhood and communities, law enforcement, schools, churches, and other agencies providing services to youth and their families.
- Assist in the development of a viable training program utilizing juvenile court and local community agencies (i.e. volunteer training program, private/nonprofit agencies, mediation training, and general community resources).

- Assist in the organization of Restorative Justice Boards in participating neighborhoods/communities.
- Assist in the selection of potential board members.
- Assist in the selection of community board coordinator.
- Establishing guidelines, roles, and responsibilities.
- Defining role of neighborhood, community, court, county attorney, arresting agency and probation officer.
- Responsible for resolving complaints and concerns involving the neighborhood/community diverted youth, parents/guardian, juvenile court personnel, and general public.
- Assist in the enforcement of program goals and program implementation.
- Conduct periodic community forums to keep the community informed, address concern and interest in the program and explore potential program ideas, requests, and modifications.
- On-going program evaluation and research; prepare statistical reports
- Document program activities and achievements.
- Coordinator should possess knowledge of the local neighborhoods/communities and how they interrelate with the operations of the juvenile court maintain a working relationship with the citizen and neighborhood services for current information on active neighborhoods and citizen groups.

Oregon

The community justice officer in Deschutes County, Oregon, Department of Community Justice works to restore crime victims, promote safe and secure communities, and supervise and rehabilitate juvenile offenders. Work is performed within the framework of community/balanced and restorative justice, i.e., addressing needs of juveniles and their families within the three primary areas of public safety, accountability, and competency development. This is senior-level professional work requiring the application of specialized knowledge in the areas of the dynamics of victimization, community organizing and development, and juvenile corrections. The following are essential responsibilities for the position:

Responsibility to Victims

- Assess needs of victim to assist in determining victim support services necessary for restoration.
- Receive and evaluate new referrals and refer appropriate cases to victim-offender mediation.
- Enforce compliance with and fulfillment of victim-offender mediation contract requirements.
- Department of Community Justice.

- Assist in holding offenders accountable to victims/community by supervising work teams of juvenile offenders performing restorative community work service.

Responsibility to Community

- Serve as a role model for youth in the community.
- Initiate, participate in, and support youth development and prevention activities that prevent crime and delinquency.
- Lead a work team of juvenile offenders assigned to restorative community work service. Assure that community service projects are completed by overseeing and monitoring overall productivity and quality of work.
- Assist in conducting remote tracking of clients and documentation of client files.
- Prepare reports as required by the supervisor, including performance observations and behavior evaluations. May be required to testify on youth behavior in court proceedings.
- Provide client data to the Deschutes County Commission on Children and Families to assist in development of early intervention and prevention programs.
- Provide data to the Deschutes County Commission on Children and Families and participate in the planning process for the Commission Comprehensive Plan.
- Establish and maintain contacts with social service agencies and community organizations that may be able to provide assistance and rehabilitation to juvenile offenders.
- Whenever possible, refer younger siblings of juvenile offenders to community early intervention and prevention resources.
- Prepare and recommend the disposition of each case within established Department priorities, i.e., victim-offender mediation, restorative community work service, competency development program recommendations. If necessary, present to the court for official action.
- Propose and initiate restorative community work service projects and sites that enhance a sense of community.
- Provide advice and training for law enforcement agencies on matters pertaining to juveniles, determination of charges, and the appropriate method of dealing with each case.
- Perform other related duties as necessary to carry out the objectives of the position.
- Facilitate participation of juveniles and families (where appropriate) in programs that lead to the development of internal discipline to interrupt criminal behavior patterns (public safety).
- Facilitate participation of juveniles and families in victim-offender mediation

(where appropriate) to ensure the highest level of accountability to victims. Initiate victim support services if needed. Provide mediation outcome to the court when appropriate. Utilize restorative community work service sites and projects to ensure the highest level of accountability to the community (accountability).

- Facilitate participation of juveniles in programs that prepare them to become responsible citizens. Programs to address issues of education, job skill development and training, victim empathy, community service commitment, and the establishment and practice of standards of acceptable behavior within the community (competency development).
- Refer juveniles to treatment programs such as foster care, youth care centers, and institutions. Monitor progress of juveniles placed in these programs.

Colorado

The State of Colorado Judicial Branch has a volunteer coordinator position that is beginning to make the transition to one that will be the critical link to implementing community justice strategies. This position is designed to coordinate the volunteer and community liaison program for a judicial district. Volunteer coordinators are distinguished from probation officers by coordinating a program of volunteers and maintaining community relations with service providers and resource agencies.

Georgia

The Georgia State Board of Pardon and Paroles has implemented a position called restorative justice coordinator. The position functions in a local district office and is primarily involved with advocacy in the local community to include victim services, restorative justice model development, and reparative work projects. The restorative justice coordinator will serve as an educator, advocate, and facilitator for the State Board of Pardons and Paroles' restorative justice initiatives in the local community.

The responsibilities and standards for the position follow:

- A. Provides direct services to victims, victim advocates and victim organizations in the assigned parole district.
 1. Researches and develops a list of all victim advocates and victim organizations within the local area.
 2. Speaks directly with and offers direct services to victims of offenders under parole consideration. Direct services will include providing information on victim services and rights, providing referrals to crisis intervention services in the local area; Informing individual victims on the status of an offender and the parole decision process in their case, assisting in the completion of a victim impact statement and including the same in the legal Investigation and/or offender file, gathering information from a specific victim regarding restitution owed by an offender, and facilitating restitution payments in reaching the victim.

3. Develop and coordinate local victim panels to meet with offenders in a supervised setting to facilitate parolee accountability.
 4. Meets routinely with all local victim groups and local victim advocates to include victim/witness liaison at the district attorney's office, rape crisis organizations, domestic violence task forces and organizations and local victim service organizations.
- B. Focuses on developing and a establishing direct communication between the community, victims and the State Board of Pardons and Paroles. Provides services to heighten awareness among community leaders of victim concerns, the need to implement restoratives justice community programs, and the work of the Board both locally and statewide.
1. Meets on a routine basis with community leadership groups to provide information on victims concerns, restorative justice initiatives and the work of the State Board of Pardons and Paroles. Community groups will include civic organizations, government entities such as city/county council and commissions, church groups, and other interested parties.
 2. Collaborate with the local community in developing programs for victim services and victim and community response to crime and crime prevention activities.
 3. Assist community in developing models that hold parolees accountable for restoration of their victim and the community.
 4. Develops and provides informational presentations in local community to interested parties.
- C. Locally develops and directs a pilot program for the Reparative Work Program.
1. Following established policy and/or procedures, works with local community and agencies to develop work sites for Reparative Work projects. Prepares and completes a letter of agreement between the Board and the selected partner work site/agency.
 2. Screens referred parolees for inclusion in the Reparative Work Program. Completes all necessary documentation and provides accepted participants with an orientation to the reparative work project.
 3. Assigns selected participants to a reparative worksite and monitors the compliance of parolees with work assignment. Coordinates time sheets and job assignments with partner agency staff.
 4. Reports, on timely basis, to the supervision parole officer the progress or difficulties the parolee has experience on the reparative work assignment and parolee completion of assignment.
 5. Gathers all necessary documentation on pilot sites and parolees for evaluation study of the Reparative Work Project pilot.

- D. Maintains close contact and communication with the board's Victims and Community Advisory Council to ensure seamless communication between local victim groups, the community, and the board. Assist in providing staff work to support the activities of the Victims and Community Advisory Council and the development of an agency-wide restorative justice model.
1. Attend the quarterly meetings of the Victims and Community Advisory Council. Assist with work assigned to the council or developed in council meetings.
 2. Provide a close liaison between individual victims and victim advocacy groups with the Council. Provide communication of board activities and council initiatives to local assigned community and give the council feedback on developments of local community initiatives and pilots.
- E. Participates in the evaluation of restorative justice initiatives in the assigned parole district to include the pilot of the Reparative Work Project.
1. Assists in developing evaluation standards and performance measures for restorative justice activities.
 2. Collects and documents data for evaluations and measures of restorative justice pilots and programs.
 3. Prepares local summary reports of evaluation data and analysis.

REFERENCES

- Colorado Judicial Branch: Job Description for Volunteer Coordinator.
- Deschutes County Department of Community Justice, Bend Oregon: Position Description for Community Justice Officer.
- Georgia State Board of Pardons and Paroles: Job Description for Restorative Justice Coordinator.
- Pima County Juvenile Court, Arizona: Job Description for Restorative Justice Coordinator.
- Vermont Department of Corrections: (1994). Job Description for Reparative Coordinator

ADDITIONAL RESOURCES FOR REFERENCE

American Probation and Parole Association

PO Box 11910

Lexington, Kentucky 40578-1910

Phone: 606: 244-8203

www.appa-net.org

Office of Justice Programs

Bureau of Justice Assistance (BJA)

810 7th Street NW

Washington, DC 20531

www.ojp.usdoj.gov/BJA

Bureau of Justice Statistics (BJS)

810 7th Street NW

Washington, DC 20531

www.ojp.usdoj.gov/bjs

National Institute of Justice (NIJ)

810 7th Street NW

Washington, DC 20531

202-307-2942

www.ojp.usdoj.gov/nij

Office of Victims of Crime (OVC)

810 7th Street NW

Washington, DC 20531

www.ojp.usdoj.gov/ovc

**Office of Juvenile Justice
and Delinquency Prevention (OJJDP)**

800 K. St., NW

Washington, DC 20531

www.ncjrs.org/ojjhome.htm

National Crime Prevention Council (NCPC)

1700 K Street, NW, Second floor

Washington, DC 20006-3817

202-466-6272

www.ncpc.org

National Criminal Justice Reference Service (NCJRS)

P.O. Box 6000

Rockville, Maryland 20849-6000

1-800-851-3420

www.ncjrs.org

Juvenile Justice Clearinghouse	1-800-638-8736
National Victims Resource Center	1-800-627-3277
Bureau of Justice Assistance Clearinghouse	1-800-627-6872
NIJ AIDS Clearinghouse	1-301-251-5500

The National Institute of Corrections (NIC)

320 First Street NW
Washington, DC 20531
202-307-2942

National Institute of Corrections Information Center
1-800-995-6429 www.nicic.org

National Organization for Victim Assistance (NOVA)

1757 Park Road, NW
Washington, DC 20010
202-232-6682

www.try-nova.org

Community Policing**Community Policing Consortium**

1726 M. Street, MW, Suite 810
Washington, DC 20036
202-833-3305

www.communitypolicing.org

Community Courts**Community Courts Forum**

(Center for Court Innovation)
351 West 54th Street
New York New York 10019
212-397-3050

www.communitycourts.org

National Center for State Courts

PO Box 8798
Williamsburg, VA 23187-8798
757-253-2000

www.ncsc.dni.us

(The Following are Referenced in Chapter Eight - Community Courts)

Peacemaking Division of the Navajo Nation of Arizona and New Mexico

Navajo Nation Peacemaker Court
PO Drawer 520
Window Rock, AZ 86155
602-871-6118

First Impressions Project

Los Angeles Municipal Court
Public Affairs Office
110 N Grand Avenue
Los Angeles, CA 90012
213-974-6358.

Franklin County Futures Lab

Reinventing Justice Project
270 Main Street, Lower Level
Greenfield, MA 01301
413-772-8711

Detroit Handgun Intervention Program

36th District Court
Madison Center
421 Madison Avenue
Detroit, MI 48226

Oakland County Youth Assistance Program

Oakland County Probate Court and Circuit Court-Family Division
1200 N Telegraph Road
Bldg. 14 East
Pontiac, MI 48341-1452

Juvenile Conference Committees

Hudson County New Jersey Family Court
Superior Court Administrative Building
595 Newark Avenue
Los Angeles, CA 90012

The Midtown Community Court

Center for Court Innovation
351 West 54th Street
New York, NY 10019
212-484-2752

www.communitycourts.org

Norfolk Juvenile & Domestic Relations Court

Citizen Advisory Council
Department of Youth and family services
4th District Court Service Unit
PO Box 809
Norfolk, VA 23501-0809
757-625-3182

Mid-Town Manhattan Community Court

Fund for the City of New York
314 West 54th St.
New York City, NY 10019
212-484-2700

Franklin County Chamber of Commerce

395 Main Street
Greenfield, MA 01301
413-773-5463

Probate Court Volunteers

Oakland county Probate Court
1200 N. Telegraph Road
Pontiac, MI 48341-0452
810-858-0041

**Community Corrections/Department of
Corrections/Community Justice****Deschutes County Department of Community Justice**

1128 NW Harriman
Bend, Oregon 97701

Reparative Probation in Vermont

Vermont Department of Corrections
103 South Main
Waterbury, Vermont 05761-1001
802-241-2796

Quincy, Massachusetts Probation Department

1 Dennis Ryan Parkway
Quincy, MA 02169
617-471-1650

Dorchester Court Probation Department

Operation Night Light
510 Washington Street
Dorchester, MA 02124

Neighborhood Watch/Prevention**Mayor's Coordinating Council on Criminal Justice**

10 South Street
Suite 200
Baltimore, MD 21202
410-396-4370.

Boston Police Department

40 New Sudbury Street
Boston, MA 02114-2999
617-543-5096

City of Columbia Community Development Department

1225 Laurel Street
Columbia, SC 29201
803-733-8315

Victims Services

National Victim Center

2111 Wilson Boulevard, Suite 300
Arlington, VA 22201
703-276-2880

www.nvc.org

Pennsylvania Board of Probation and Parole

Office of Victim Advocate
3101 N. Front Street
Harrisburg, PA 17110
717-783-8185

Tarrant County

Community Supervision and Corrections Department
200 W. Belknap
Ft. Worth, TX 76196-0255
817-884-1600

Texas Department of Criminal Justice

Criminal Justice Assistance Division
P.O. Box 13401
Austin, TX 78711
512-406-5411

Community Prosecution

Middlesex County Community Based Justice Program

Cambridge Street
East Cambridge, MA 02141

Marion County Prosecutor's Office, Indianapolis, Indiana

200 East Washington, Suite 560
Indianapolis, Indiana 46204

Travis County Community Justice (Austin, Texas)

P.O. Box 1748
Austin, TX 78767

Multnomah County

Neighborhood District Attorney Program
1021 SW Fourth Avenue
Room 600
Portland, OR 97204

Contributing Authors**Eduardo Barajas, Jr.**

Correctional Program Specialist
National Institute of Corrections
320 First Street, NW
Washington, DC 20536

Gordon Bazemore

Community Justice Institute
College of Urban and Public Affairs
Florida Atlantic University
University Tower Room, 612C
220 SE 2nd Avenue
Ft. Lauderdale, Florida 33301

Mark Carey, Director

Dakota County Community Corrections
1560 W. Hwy 55
Hastings, Minnesota 55033

Ron Corbett , Deputy Commissioner

Office of Commissioner of Probation
One Ashburton Place, Room 405
Boston, Massachusetts 02108

Susan E. Day, Director

Florida Youth Restoration Project
8420 Summerfield Place
Boca Raton, Florida 33433

Michael J. Dooley, Correctional Program Specialist

National Institute of Corrections/Academy
1960 Industrial Circle, Suite A
Longmont, Colorado 80501

Hillery S. Efke

Research Division
National Center for State Courts
P.O. Box 8798
Williamsburg, Virginia 23187-8798

Tracy M. Godwin, Research Associate

American Probation and Parole Association
P.O. Box 11910
Lexington, Kentucky 40578

Heike Gramckow, Director

American Prosecutors Research Institute (APRI)
99 Canal Center Plaza, Suite 510
Alexandria, Virginia 22314

Carl Harbaugh, Sheriff Training Coordinator

Community Policing Consortium
1726 M. Street, MW, Suite 810
Washington, DC 20036

Dennis Maloney, Director

Deschutes County Dept of Community Justice
1128 N.W. Harriman
Bend, Oregon 97701

Rhonda Mims

American Prosecutors Research Institute (APRI)
99 Canal Center Plaza, Suite 510
Alexandria, Virginia 22314

National Crime Prevention Council

1700 K Street, NW, Second Floor
Washington DC 2006-3817

Kay Pranis, Restorative Justice Planner

Minnesota Dept of Corrections
1450 Energy Park Drive, suite 200
St. Paul, Minnesota 55108-5219

John Perry

Vermont Department of Corrections
103 South Main Street
Waterbury, Vermont 05671

David Rottman, Associate Director

Research Division
National Center for State Courts
P.O. Box 8798
Williamsburg, VA 23187-8798

Lynne Walther

Vermont Department of Corrections
103 South Main Street
Waterbury, Vermont 05671





The American Probation and Parole Association (APPA) is an international association of individuals involved with probation, parole, and community-based corrections in both the adult and juvenile sectors. The association provides training workshops, symposiums, training institutes, and a variety of research and educational documents and publications as resources for its membership.