



OJJDP Summary



Balanced and Restorative Justice

Program Summary

A Publication of the
Office of Juvenile Justice and Delinquency Prevention

Office of Juvenile Justice and Delinquency Prevention

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was established by the President and Congress through the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, Public Law 93–415, as amended. Located within the Office of Justice Programs of the U.S. Department of Justice, OJJDP’s goal is to provide national leadership in addressing the issues of juvenile delinquency and improving juvenile justice.

OJJDP sponsors a broad array of research, program, and training initiatives to improve the juvenile justice system as a whole, as well as to benefit individual youth-serving agencies. These initiatives are carried out by seven components within OJJDP, described below.

Research and Program Development Division develops knowledge on national trends in juvenile delinquency; supports a program for data collection and information sharing that incorporates elements of statistical and systems development; identifies how delinquency develops and the best methods for its prevention, intervention, and treatment; and analyzes practices and trends in the juvenile justice system.

Training and Technical Assistance Division provides juvenile justice training and technical assistance to Federal, State, and local governments; law enforcement, judiciary, and corrections personnel; and private agencies, educational institutions, and community organizations.

Special Emphasis Division provides discretionary funds to public and private agencies, organizations, and individuals to replicate tested approaches to delinquency prevention, treatment, and control in such pertinent areas as chronic juvenile offenders, community-based sanctions, and the disproportionate representation of minorities in the juvenile justice system.

State Relations and Assistance Division supports collaborative efforts by States to carry out the mandates of the JJDP Act by providing formula grant funds to States; furnishing technical assistance to States, local governments, and private agencies; and monitoring State compliance with the JJDP Act.

Information Dissemination and Planning Unit informs individuals and organizations of OJJDP initiatives; disseminates information on juvenile justice, delinquency prevention, and missing children; and coordinates program planning efforts within OJJDP. The unit’s activities include publishing research and statistical reports, bulletins, and other documents, as well as overseeing the operations of the Juvenile Justice Clearinghouse.

Concentration of Federal Efforts Program promotes interagency cooperation and coordination among Federal agencies with responsibilities in the area of juvenile justice. The program primarily carries out this responsibility through the Coordinating Council on Juvenile Justice and Delinquency Prevention, an independent body within the executive branch that was established by Congress through the JJDP Act.

Missing and Exploited Children Program seeks to promote effective policies and procedures for addressing the problem of missing and exploited children. Established by the Missing Children’s Assistance Act of 1984, the program provides funds for a variety of activities to support and coordinate a network of resources such as the National Center for Missing and Exploited Children; training and technical assistance to a network of 43 State clearinghouses, nonprofit organizations, law enforcement personnel, and attorneys; and research and demonstration programs.

OJJDP provides leadership, direction, and resources to the juvenile justice community to help prevent and control delinquency throughout the country.

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The balanced and restorative justice project

On September 30, 1992, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded a grant to Florida Atlantic University and a consortium of national juvenile justice experts to expand the focus of OJJDP's juvenile restitution training and technical assistance program (RESTTA). The grantee is implementing a new project—the Balanced and Restorative Justice Project—that is developing model systems for community supervision of juvenile offenders based on the balanced approach mission (Maloney, Romig, and Armstrong, 1988; Bazemore, 1992) and the restorative justice philosophy (Umbreit, 1989; Van Ness, 1990; Zehr, 1990). This broad focus on developing balanced, community-based systems is designed to meet the challenge of using restorative sanctions and processes (such as community service, victim involvement, mediation, and restitution) and related approaches as catalysts for change in the juvenile justice system.

Overview

Frustrated by policy pendulum swings between treatment and retribution and by unclear and unrealistic public expectations, a growing number of judges, probation officers, prosecutors, and other juvenile justice professionals are embracing a new vision for juvenile justice. As a concrete mission, the balanced approach allows juvenile justice systems and agencies to improve their capacity to protect the community and ensure accountability of the offender and the system. It enables offenders to become competent and productive citizens. Restorative justice, the guiding philosophical framework for this vision, promotes maximum involvement of the victim, the offender, and the community in the justice process and presents a clear alternative to sanctions and intervention based on retributive or traditional treatment assumptions. Within the context of the restorative justice philosophy, the balanced approach mission helps juvenile justice systems become more responsive to the needs of victims, offenders, and the community (see figure 1).

Figure 1: The Balanced and Restorative Justice Model



With the balanced approach, juvenile justice systems can protect the community.

The balanced approach helps agencies transcend unproductive conflicts between crime control and treatment.

The balanced approach mission

What's new about the balanced approach?

At first glance it might appear that the balanced approach mission is little more than an attempt to repackaging the traditional treatment agenda of juvenile justice with an emphasis on accountability and public protection. For most juvenile justice agencies, however, the commitment to competency development, accountability, and community protection that the balanced approach requires necessitates significant changes. These changes involve new performance objectives; new priorities for intervention; and a new view of the role of offenders, victims, and the community in the justice process.

Performance objectives

Juvenile justice systems based on the balanced approach differ from traditional systems in that the competency development, accountability, and community protection objectives prescribe clear outcomes directed at the three primary clients of juvenile justice: offenders, victims, and the community. These outcomes in turn provide the basis for developing concrete performance measures for gauging the success of juvenile justice systems, agencies, and interventions. These may be evaluated in terms of whether offenders make measurable improvements in their ability to function as conventional, productive citizens; how well the public is protected during the time the offender is under court supervision; and whether victims are involved in the juvenile justice process as offenders learn to understand the harm they have caused and work to repay the victim and the community (see figure 2). By promoting development of consensus on these new performance-based objectives and the need for balance in allocating resources to achieve goals directed at each client, the balanced approach mission helps agencies transcend traditional, unproductive conflicts between crime control and treatment.

Figure 2: Balanced Approach Values, Clients, and Performance Objectives

- **Accountability.** When an offense occurs, an obligation to the victim incurs. Victims and communities should have their losses restored by the actions of the offenders making reparation, and victims should be empowered as active participants in the juvenile justice process.
 - **Community protection.** The public has a right to a safe and secure community and must be protected during the time the offender is under juvenile justice supervision. The juvenile justice system must provide a range of intervention alternatives geared to the varying risks presented by the offenders.
 - **Competency development.** Juvenile offenders who come within the jurisdiction of the court should leave the system capable of being productive and responsible in the community. Rather than simply receiving treatment and services aimed at suppressing problem behavior, offenders should make measurable improvements in their ability to function as productive, responsible citizens.
 - **Balance.** Community, victim, and offender should receive balanced attention. All three should gain tangible benefits from their interactions with the juvenile justice system.
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New priorities for intervention practices

Though closer to a conceptual framework than a prescriptive program, the balanced approach builds on more than a decade of research and practical experience with outcome-focused intervention strategies. This framework can best be described as a combined emphasis on three programming priorities.

- **Accountability.** Restitution, community service, and victim-offender mediation create an awareness in offenders of the harmful consequences of their actions for victims, require offenders to take action to make amends to victims and the community, and, whenever possible, involve victims directly in the justice process.
- **Community protection.** Intermediate, community-based surveillance and sanctioning systems channel the offender's time and energy into productive activities during nonschool working hours. A continuum of surveillance and sanctions provides a progression of consequences for noncompliance with supervision requirements and incentives that reinforce the youth's progress in meeting competency development and accountability objectives.
- **Competency development.** Work experience, active learning, and service provide opportunities for offenders to develop skills, interact positively with conventional adults, earn money, and demonstrate publicly that they are capable of productive, competent behavior.

Most important, any juvenile court disposition intended to achieve the objectives of the balanced approach in a given case must be individualized and based on the circumstances of the offense and the needs and risks presented by the offender. System balance is achieved when managers and policymakers carefully allocate resources giving equal priority to those programs and practices directed at achieving the three mission objectives. Each program or practice must in turn complement and reinforce other programs.

New roles for youth, juvenile justice professionals, and the community

Table 1 depicts the new roles for juvenile justice professionals, offenders, and members of the community implied by balanced approach objectives and specifies the intended outcomes. Attaining accountability requires an enhanced and expanded role for victims, and the restorative justice framework maximizes their involvement in all aspects of the juvenile justice process.² Table 1 reflects the balanced approach's strong reliance on local support and its implicit message to community organizations that juvenile justice professionals cannot function alone.



Juvenile court dispositions must be based on the circumstances of the offense and the needs of the offender.

Offenders should leave the juvenile justice system more capable of participating in conventional society.

Table 1: New Roles in the Balanced Approach

<p>Accountability—When a crime occurs, a debt incurs. Justice requires that every effort be made by offenders to restore losses suffered by victims.</p>		
<p>Juvenile justice system role: Direct juvenile justice resources to ensure that offenders repay victims and complete other relevant restorative requirements as a top system priority. <i>Intended outcome:</i> Efficient, fair, and meaningful restorative justice practices; increased responsiveness to victims' needs.</p>	<p>Offender role: Actively work to restore victims' losses and participate in activities that increase empathy with the victim and victims generally. <i>Intended outcome:</i> Understanding of consequences of offense behavior; increased empathy; feeling of fairness in justice process.</p>	<p>Community role: Assist in the process by providing paid work opportunities for offenders, helping to develop community service work projects, and supporting victim awareness education. <i>Intended outcome:</i> More participation in and support for the juvenile justice system; message that victims receive priority.</p>
<p>Competency development—Offenders should leave the juvenile justice system more capable of productive participation in conventional society than when they entered.</p>		
<p>Juvenile justice system role: Assess youths' strengths and interests and identify community resources to build on those strengths in a way that demonstrates competency. Engage youth in these activities and provide necessary supports for successful completion. Build prevention capacity through productivity partnerships with employers, educators, and other community agencies. <i>Intended outcome:</i> More opportunities for youth competency development; improved image of juvenile justice; increased competency.</p>	<p>Offender role: Become actively involved in activities that make a positive contribution to the community while building life skills; make continuous progress in improving educational skills while using existing skills to help others. <i>Intended outcome:</i> Increased sense of competency and self-esteem; exposure to and interaction with positive adult role models; improved public image of youth.</p>	<p>Community role: Become partner with juvenile justice system in developing opportunities for youth to make productive contributions to the community while learning positive civic and other values. <i>Intended outcome:</i> Increased community involvement in and ownership of delinquency problem; new attitudes toward youth; completion of positive work in communities. Improved quality of life in the community.</p>
<p>Community protection—The public has a right to a safe and secure community; juvenile justice should develop a progressive response system to ensure offender control in the community and develop new ways to ensure public safety and respond to community concerns.</p>		
<p>Juvenile justice system role: Ensure that offenders are carefully supervised by staff and a range of community guardians and that offenders' time is structured in productive activities; develop a range of supervision restrictiveness options and alternative responses to violations and incentives for progress. <i>Intended outcome:</i> Increased public support for community supervision.</p>	<p>Offender role: Become involved in competency building and restorative activities; avoid situations that may lead to further offenses. <i>Intended outcome:</i> No offenses while on supervision; reduced recidivism when the period of supervision is over.</p>	<p>Community role: Provide input to juvenile justice system regarding public safety concerns; share responsibility for offender control and reintegration. <i>Intended outcome:</i> Increased feelings of safety in the community; increased confidence in juvenile community supervision.</p>

Attaining these objectives involves a key role for such socializing institutions as schools, employers, and advocacy and youth development groups. These institutions help young offenders and the justice system address the needs of victims and enhance the informal social control needed to protect the community.

In defining a new relationship to the community, juvenile justice professionals adopting the balanced approach have much in common with the community-based, neighborhood policing movement. Like community-based police officers, these juvenile justice professionals assume a proactive role in responding to citizens' concerns. At the same time, these professionals seek to define the boundaries of the formal juvenile justice role as producing tangible outcomes in competency, accountability, and community protection. As in the case of neighborhood policing, the balanced and restorative justice model aids community institutions in enhancing their own delinquency prevention capacities. In turn, juvenile justice professionals seek support from community institutions for reintegrative probation and aftercare and for efforts to attain balanced objectives with offenders under court supervision.

Ultimately, the balanced approach mission must be adaptable to the needs and resources of local communities. This implies sensitivity in adapting the model to local cultural strengths and diversities. In building community support, juvenile justice professionals should involve civic, employment, recreational, and other organizations whose members can serve as advocates for minority youth. Increasing cultural sensitivity and addressing the problem of disproportionate minority representation in the most restrictive end of the juvenile justice continuum should be a major priority.

Just as the public's perception may change when individual offenders take an active role in restoring losses caused by their offenses and demonstrate competency through productive work experience and service, juvenile justice systems that put forward concrete, objective, and consensus-based performance outcomes may upgrade their organizational image from tax liability to community asset. In sum, in its responsiveness to the needs of the community as a whole and to victims in particular, the balanced approach mission offers juvenile justice professionals a practical means of engaging their community institutions in a constructive partnership.

Restorative justice

Although restorative justice is an ancient concept (Zehr, 1990), the restorative perspective gained impetus in the 1970's and 1980's from the victims' movement, from experiences with reparative sanctions and processes, and from the rise of informal neighborhood justice and dispute resolution programs (Galaway and Hudson, 1990; Schneider, 1985). Restorative justice is based on the following values and assumptions:

- All parties should be included in the response to crime—offenders, victims, and the community.



Juvenile justice professionals who adopt the balanced approach assume a proactive role in responding to citizens' concerns.



Restorative justice is concerned with repairing the harm to victims and the community.

- Government and local communities should play complementary roles in that response.
- Accountability is based on offenders understanding the harm caused by their offenses, accepting responsibility for that harm, and repairing it (McLagan, 1992).

As a philosophy for the juvenile justice system, restorative justice guides professionals in the appropriate and equitable use of sanctions to ensure that offenders make amends to victims and the community. The restorative justice philosophy:

- Gives meaning to sanctions such as restitution and community service. Without a restorative understanding, these sanctions may be viewed as bureaucratic in nature and may be used for punitive purposes.
- Links disparate practices and programs such as restitution, victim services, community service, victim-offender mediation, and dispute resolution as part of a restorative agenda for juvenile justice.

While retributive justice is focused on public vengeance, deterrence, and punishment through an adversarial process, restorative justice is concerned with repairing the harm done to victims and the community through a process of negotiation, mediation, victim empowerment, and reparation. In contrast to the individual treatment approach, which focuses on providing limited services to offenders, restorative justice is concerned with the broader relationships among offenders, victims, and the community (Lawrence, 1991; Zehr, 1990).

As a philosophical framework, restorative justice is neither punitive nor lenient in focus and provides a clear alternative to juvenile justice sanctioning and intervention based on retributive or traditional treatment assumptions. In Howard Zehr's view, restorative justice offers a different lens through which to view the problem of crime and provides a new outlook on the public's response to the harm that results when an offense is committed. Table 2 contrasts the assumptions of the new restorative paradigm with the old retributive paradigm.

The Restorative Justice Yardstick (see appendix) provides guidance to juvenile justice systems in moving closer to values and policies consistent with this paradigm.

Table 2: Retributive and Restorative Assumptions

Retributive Justice	Restorative Justice
Crime is an act against the State, a violation of a law, an abstract idea.	Crime is an act against another person or the community.
The criminal justice system controls crime.	Crime control lies primarily in the community.
Offender accountability defined as taking punishment.	Accountability defined as assuming responsibility and taking action to repair harm.
Crime is an individual act with individual responsibility.	Crime has both individual and social dimensions of responsibility.
Punishment is effective. a. Threat of punishment deters crime. b. Punishment changes behavior.	Punishment alone is not effective in changing behavior and is disruptive to community harmony and good relationships.
Victims are peripheral to the process.	Victims are central to the process of resolving a crime.
The offender is defined by deficits.	The offender is defined by capacity to make reparation.
Focus on establishing blame, on guilt, on past (did he/she do it?).	Focus on problem solving, on liabilities/obligations, on future (what should be done?).
Emphasis on adversarial relationship.	Emphasis on dialog and negotiation.
Imposition of pain to punish and deter/prevent.	Restitution as a means of restoring both parties; goal of reconciliation/restoration.
Community on sideline, represented abstractly by State.	Community as facilitator in restorative process.
Response focused on offender's past behavior.	Response focused on harmful consequences of offender's behavior; emphasis on the future.
Dependence upon proxy professionals.	Direct involvement by participants.

Source: Adapted from Zehr, 1990.

An integrated model

Through the restorative lens, the objectives of the balanced approach take on a particular meaning based on a set of core values defined by the new philosophical framework. For example, achieving accountability in sanctioning cannot be equated with punishment, but is instead linked to victim reparation. Likewise, rehabilitation is not understood to mean completing treatment programs and community protection is not equated with incarceration.

Ultimately, the balanced and restorative justice model provides the basis for reconciling the interests of victims, offenders, and the community through common programs and supervision practices that meet mutual needs. In these programs, competency development activities may also reinforce community protection and accountability objectives. For example, programs that require

C rime is an act against the community.



Most jurisdictions find the principles of the balanced and restorative justice model appealing.

young offenders to engage in meaningful, productive work and service in their communities (competency development) during free time under structured adult supervision (community protection) can also provide a source of funding for repayment of victims as well as opportunities for community service (accountability) (Bazemore, 1992).³ Such restorative requirements must be based on consideration of the harm caused by the offender's willful action in the offense, consideration of a range of alternatives to meet the accountability obligation, attention to competency needs, and equal emphasis on how risk to the public can be minimized while the offender is under court supervision.

Challenges to implementation

Although many States and jurisdictions have expressed interest in the balanced and restorative justice model, relatively few courts and probation departments have grasped the implications of the competency development, accountability, and community protection objectives for the mission of community supervision and juvenile justice intervention. Even fewer have begun the hard work of implementing the balanced and restorative justice model by adopting the changes in policies and practices it requires.⁴

Even in those jurisdictions where juvenile justice professionals are making significant strides in improving restitution and community service programming or in implementing work experience and other competency development strategies, further refinement is needed. In some jurisdictions, practices or programs consistent with one model objective may conflict with others, and more effort is needed to attain balance in addressing the needs of victims, offenders, and the community.

Even where practitioners are making accountability and competency development objectives a priority, comprehensive development of a sanction and supervision continuum often lags. Few jurisdictions have been successful in convincing citizens that the strength and intensity of community supervision are adequate for ensuring public safety without extensive use of confinement and commitment to residential programs. It is uncommon to see juvenile justice agencies effectively engaging community institutions in collaborative efforts to develop a community's capacity for preventing delinquency and reintegrating offenders. Likewise, meaningful victim involvement is rare in many jurisdictions.

For most jurisdictions the principles of the balanced and restorative justice model are appealing, but concrete examples are needed before juvenile justice systems can begin to move toward meaningful adoption of this new agenda for supervision and intervention. Fortunately, a number of jurisdictions are making significant advances in implementing at least some elements of the model and are providing growing evidence that the model's agenda is both feasible and beneficial for juvenile justice systems, victims, offenders, and the community. Accordingly, OJJDP intends to build on these positive examples to demonstrate how jurisdictions can develop balanced systems based on restorative justice principles.

The balanced and restorative justice project

The Balanced and Restorative Justice Project, funded through OJJDP's Training and Technical Assistance Division, assists jurisdictions that wish to implement practical changes in their juvenile justice systems which are consistent with balanced and restorative justice principles. The project strategy calls for national and selected State and local training, technical assistance, and program development and is essentially divided into two implementation tracks.

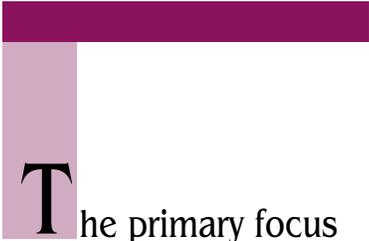
Track 1: Model development

To respond to the need for practical examples of the balanced and restorative justice model in action, the primary focus of the project is to develop concrete model systems in pilot jurisdictions. Key juvenile justice decisionmakers in at least 10 States have demonstrated strong commitment to balanced and restorative justice objectives and have agreed to cooperate with the project in this initiative.

Jurisdictions in three States have been selected for intensive work in the first phase of the project. A project technical assistance team, including national innovators in the balanced and restorative justice philosophy such as Dennis Maloney, Mark Umbreit, and Andrew Klein, is collaborating with State and local planning groups to design and initiate an action planning process and demonstration effort in the juvenile justice systems of one or more jurisdictions in each State. Initially the team focuses on assessment activities intended to determine needs and strategic planning to implement key components of the model and use the balanced approach mission as a tool for ongoing system reform.

Training and technical assistance focuses on strengthening the weaker aspects of the balanced approach mission and enhancing restorative justice values and principles in each local system. This work is being guided by working papers on each element of the balanced approach that define each principle, specify intermediate supervision objectives, describe intervention strategies and practices consistent with the approach, and outline performance measures for gauging progress.

In a second type of model development activity, project staff develop profiles of jurisdictions that have made exemplary progress in implementing the balanced approach. Three counties in Oregon—Deschutes, Lane, and Multnomah—and Travis County, Texas, were selected for these profiles. In subsequent phases of the project, these jurisdictions and/or the demonstration jurisdictions are expected to serve as host sites for training and assistance for professionals from other jurisdictions. Assuming availability of additional funding, other States that have asked to participate in the project will receive similar assistance from project staff and host-site training from the initial State model projects.



The primary focus of the project is to develop concrete model systems in pilot jurisdictions.

A national conference of juvenile justice policymakers plans to implement the model.

Track 2: National technical assistance, training, and coalition building

While focusing on developing balanced and restorative system models for States and local jurisdictions, it is important to address the demand for national training, education, and technical assistance on the Balanced and Restorative Justice model.

Project staff disseminate information to a broad national audience by participating in conferences, offering workshops in other States, and publishing policy and research updates in journals and newsletters. To disseminate information to key constituency groups, the project is relying in part on several national organizations that have agreed to participate in this initiative. These organizations, which include the American Probation and Parole Association, the American Restitution Association, the American Society of Public Administrators, and the National Association of Juvenile Correctional Administrators, will advise the project on model development in the pilot States, advocate project objectives in those States, and review current training materials. In FY 1994–95, the project will also host three regional Restorative Justice Roundtables intended to serve as strategic planning forums for juvenile justice leaders from three or more States in a geographic region that wish to implement the model.

A national leadership group consisting of juvenile justice decisionmakers representing each segment of the system and leaders from other public and private organizations outside the juvenile justice system will also be created. A national symposium on the balanced and restorative justice model will be held during 1995, targeting a select group of leaders who will be brought together to discuss broader implementation of the new model. A larger national conference of juvenile justice policymakers is making plans to implement the model.

Training, technical assistance, and policy documents

Both tracks will produce several written products. The primary product of the first phase of the project is a comprehensive strategy document describing the components and policy assumptions underlying the new balanced mission and restorative framework and setting forth a comprehensive agenda for expanding this new model. This strategy document includes sections on model development, theory and research, training design, marketing strategy, and funding and cost estimates.

Project staff are preparing policy briefs, research publications, working papers, model site descriptions, and guidelines for practical implementation of practices consistent with the balanced and restorative justice model.

As a result of initial assessment work in the pilot sites and nationally, the project team has more clearly defined and operationalized the key components of the balanced approach mission and has also learned more about potential obstacles to successful implementation. Documentation of the research and

development process, including descriptions of current practice and followup assessment, will provide the basis for model site development briefs, policy monographs, and training guides that will aid other jurisdictions in implementing the balanced and restorative justice model. These materials are intended for dissemination to a national policy and practitioner audience.

Notes

1. For research findings and program experience summaries on reparative sanctioning, victim-offender mediation, and other practices associated with the accountability objective, see Schneider, 1985; 1986; Galaway and Hudson, 1990; Umbreit, 1993. For summaries of research and program models associated with the competency development objective, see Bazemore 1991; Goldstein and Huff, 1992; Pittman and Fleming, 1991. The Balanced Approach to community protection is more fully articulated in Maloney, Armstrong, and Romig, 1988, and in Klein, 1988. Working papers which operationalize each component of the Balanced Approach and summarize research and practice are available in draft form from the Balanced and Restorative Justice project.
2. Because the focus of this chart is to highlight new roles for juvenile justice professionals, offenders, and the community, the role of the victim is not addressed. However, a more active role for victims is essential to the balanced approach and is addressed as part of the accountability objective. The Restorative Justice Yardstick provides the basis for systems to gauge the consistency of current policies and practices with the need for a restorative response to victims and the community and the need for maximum victim involvement. (See appendix.)
3. Comprehensive interventions modeled after such programs as the Youth Conservation Corps or YouthBuild (Rosenberry, 1986; Stoneman and Calvert, 1990), for example, address competency needs by providing work experience and education and can also enhance community protection by providing close supervision and structuring of an offender's time, and address accountability to victims by providing earnings for restitution and for community service.
4. For a more detailed discussion of specific applications of the balanced approach, see Maloney, Romig, and Armstrong (1988) and Bazemore and Maloney (1994). For a general assessment of obstacles to implementation, see Armstrong, Maloney, and Romig (1990) and Bazemore (1992).



The project team clearly defined the key components of the balanced approach mission.

Appendix

A Restorative Justice Yardstick

1. Do victims experience justice?
 - Do victims have sufficient opportunities to tell their truth to relevant listeners?
 - Do victims receive needed compensation or restitution?
 - Is the injustice adequately acknowledged?
 - Are victims sufficiently protected against further violation?
 - Does the outcome adequately reflect the severity of the offense?
 - Do victims receive adequate information about the crime, the offender, and the legal process?
 - Do victims have a voice in the legal process?
 - Is the experience of justice adequately public?
 - Do victims receive adequate support from others?
 - Do victims' families receive adequate assistance and support?
 - Are other needs—material, psychological, and spiritual—being addressed?
2. Do offenders experience justice?
 - Are offenders encouraged to understand and take responsibility for what they have done?
 - Are misattributions challenged?
 - Are offenders given encouragement and opportunities to make things right?
 - Are offenders given opportunities to participate in the process?
 - Are offenders encouraged to change their behavior?
 - Is there a mechanism for monitoring or verifying changes?
 - Are offenders' needs being addressed?
 - Do offenders' families receiving support and assistance?
3. Is the victim-offender relationship addressed?
 - Is there an opportunity for victims and offenders to meet, if appropriate?
 - Is there an opportunity for victims and offenders to exchange information about the event and about one another?

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4. Are community concerns being taken into account?
 - Is the process and the outcome sufficiently public?
 - Is community protection being addressed?
 - Is there a need for restitution or a symbolic action for the community?
 - Is the community represented in some way in the legal process?
 5. Is the future addressed?
 - Is there provision for solving the problems that led to this event?
 - Is there provision for solving problems caused by this event?
 - Have future intentions been addressed?
 - Are there provisions for monitoring and verifying outcomes and for problemsolving?

Source: Howard Zehr, *Changing Lenses* (Scottsdale, Pennsylvania: Herald Press, 1990).

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