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# COMMUNITY JUSTICE IN RURAL AMERICA

## FOUR EXAMPLES AND FOUR FUTURES

**BJA** Bureau of Justice Assistance  
Monograph

COMMUNITY JUSTICE SERIES

#3

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# **COMMUNITY JUSTICE IN RURAL AMERICA**

## **FOUR EXAMPLES AND FOUR FUTURES**

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# Foreword

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Much of what has been reported about grassroots community justice efforts has focused on initiatives in urban areas. As a result, little is known about community justice in rural areas. Has community justice taken root in rural and isolated towns? If so, what quality-of-life issues are driving it? Who in the community and local justice system is involved? Are traditional actors in justice systems that serve rural communities resisting change? And what is the likely future of community justice in rural America? Will communities see their efforts fade away, be co-opted by the system, or evolve into vehicles for collaborative problem solving that transform the relationship between government and citizen?

To find answers to these questions, the Bureau of Justice Assistance funded a project by the Center for Effective Public Policy to study rural communities in which community justice is thriving. This monograph reports what the center found. The communities selected for this study—Boise County, Idaho; Jefferson County, Oregon; Monroe County, Wisconsin; and Burlington, Vermont—have different cultures, crime and quality-of-life concerns, and assets. But each shares a desire to look beyond remedies traditionally offered by the justice system for solutions to seemingly intractable problems.

Each community highlighted in this monograph provides an example of how community justice grows in response to the unique needs it serves. In Boise County, for example, the catalyst for community justice was the lack of adequate dispositions available to the juvenile court. In Monroe County, the spark came from the former chair of the county board, who questioned the desirability of building a new jail in response to overcrowding in the local corrections system.

We offer this monograph as a starting point for judges, prosecutors, public defenders, law enforcement chiefs, and other local leaders searching for examples of how frustration can be transformed into action, even in isolated communities with limited resources.

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# I. Introduction

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Much of what we know about community justice in the United States is the result of efforts in neighborhoods across the nation in cities like Austin, New York, and Portland. We know much less about how community justice looks in small towns and rural areas.

With that in mind, the Bureau of Justice Assistance (BJA) funded a project by the Center for Effective Public Policy to learn about rural communities in which community justice flourished. We wanted to understand the contours and shape of their activities and how they began, and we sought to nominate some as resource sites to which others could look who are involved or developing an interest in community justice.

We found projects in various stages of development. All had different starting points, and all existed in varying landscapes. All had varying assets, liabilities, and cultures. Yet, each shared the potential to improve the lives of community residents. Indeed, we found that a key quality of community justice is the unleashing of a community's energy to respond more effectively to its problems.

The four communities described in this monograph are but a few examples of the small towns, rural areas, and Indian reservations in which community justice is flourishing. We visited many on the recommendations of BJA staff and others with an interest in community justice. These four are not closer to being “state of the art” than others; all are works in progress. But each offers a different example of the shape of community justice, a different way that it has grown in response to the community where it began. We then suggest the significance of our observations, identify the most important unanswered questions about rural community justice, and describe four distinct possible futures for it. We offer these examples as starting points for self-examination by communities pursuing their own community justice initiatives and as suggestions of how these impulses can manifest in concrete action.

It is not possible here to tell fully the story of community justice in Boise County, Idaho; Jefferson County, Oregon; Monroe County, Wisconsin; and Burlington, Vermont. We have sketched the story in each place, emphasizing, for illustrative purposes, the experiences of Boise County, Idaho.

## II. The Sites

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### *Boise County, Idaho*

Boise County is a geographically large, rural mountain county that adjoins Idaho's largest city, Boise. The county's population of 6,500 is concentrated in three small towns: Idaho City, Horseshoe Bend, and Garden Valley. The scenic mountainous terrain makes these towns more remote from one another and from Boise than the 50 or so miles between each suggests. The county is poor, with pockets of people living in remote places without electricity and running water.

The spark for community justice in Boise County came from the county's magistrate judge and juvenile probation officer. Concerned with the impoverished array of dispositions available to the juvenile court, they convened a series of meetings throughout the county to discover residents' attitudes toward the justice system in general and the juvenile justice system in particular. These initial efforts resulted in the creation of an electronic monitoring program, a community service program, and a juvenile diversion program called the Accountability Network, or ICAN. Through ICAN, juvenile offenders work with panels of adult volunteers to agree on contracts in lieu of sentences. The volunteers monitor the youth's progress in following through on the contract terms.

(In three of the four counties profiled here, the court has only one or two judges who necessarily handle all cases—criminal, juvenile, family, civil, small claims, child abuse, and neglect, among others. It seems no accident to us that the judges are key sources of energy for community justice, given the breadth of their judicial experience, their strong feeling of connection to and responsibility for the people in their respective counties, their belief that progress is possible, and their willingness to gather people to solve local problems.)

The judge and juvenile probation officer also helped create a community justice committee, made up of citizens from Idaho City, Horseshoe Bend, and Garden Valley. Initially serving in only an advisory role, the committee has since become active in identifying community problems, setting priorities for community justice efforts, and identifying and invoking resources to address community problems. Although it has no legal status or authority, it has become an important steering committee for community justice efforts.

The committee held public meetings in all three towns to identify problems in each community. Although these meetings yielded expressions of concern about matters that might fairly be called, in

conventional terms, criminal justice issues, their thrust turned out to be related to the widespread belief that a valued way of life is slipping away from this rural community. Community members want to preserve this way of life, if they can, or to at least manage or come to terms with unavoidable changes in a more satisfactory way. Specific concerns about the behavior of children and juveniles were most common, although by no means was the referenced behavior necessarily delinquent. For example, one member of the committee, the owner of a local restaurant, said she wanted teenagers who come into her restaurant to treat her employees and restrooms with respect. This theme, that a shared sense of values was being lost, recurred in all four sites. The committee has achieved an energy, passion, and vision that is hard to capture or convey in a simple description of its activities. Its members are determined, and their energy is contagious.

The second stage of Boise County's community justice program was decidedly noncriminal justice in nature. Drawing on the collective instincts of the committee and the experience of the justice system, the project created a Healthy Families Program to visit each pregnant woman in the county and to prepare those most in need of help (primarily unwed teenage mothers) to be parents. This foray into work with families led to the creation of an even more ambitious

Parents as Teachers Project, which provides information and training about parent-child interaction as a crucial part of school readiness. The committee started a program to work with the public schools on reducing the frequency of student expulsions from the schools and on the nagging problem of truancy throughout the county. The juvenile probation department became the Community Justice Department, and, with a grant from the Albertson Foundation, created the first preschool programs in the county. Boise County is now the only county in Idaho to offer preschool to all children in the county. The programs are located within the public schools, further cementing the collaboration of these public agencies.

The third and continuing stage of Boise County's effort is community problem solving. An example of this effort is the community justice committee's response to the "dog problem" in a development of 67 homes in a remote part of Boise County. Several members of this development allow their dogs to roam freely, believing it is their right to do so. Several dogs have gathered in packs and, according to some residents, terrorized adults and children in the development. After several calls to the police failed to yield satisfactory interventions, a community member poisoned two dogs after warning their owners that they should be controlled.

The owners demanded that the district attorney prosecute the man,



who admitted poisoning the dogs, for felonies. The prosecutor instead charged him with two misdemeanors, expressing serious doubt that a Boise County jury would convict the remorseful defendant because of the underlying circumstances. The defendant, however, a federal civil service employee, is very concerned about the consequences of conviction for his employment and retirement, fearing that he will lose both if convicted. The dog owners are dissatisfied that the most severe consequence that can be exacted by the criminal justice system is prosecution of a misdemeanor.

If the case goes to trial, the dog owners are likely to be unhappy with either outcome, an acquittal or a conviction for the misdemeanors. Although the defendant will likely feel relieved if the verdict is not guilty, a trial will be costly and put his family's future at risk. For both parties, the outcomes offered by the criminal justice system seem unsatisfactory, and the prospects for healthy community life in this development will remain dim unless these issues are resolved in a satisfying way.

Boise County's community justice committee is mediating this dispute. The committee has identified community members who are respected by the parties. They are working with the participants to reach a sensible resolution that will allow them to live together in peace. Accomplishing this will require a measure of shared responsibility

and accountability. Having "imagined" what a sensible resolution to the matter might be, the community justice group is trying to move the participants toward it without dictating its ultimate shape and detail.

This is the most dramatic community problem the committee has mediated, but it is not the only one. As a result of one of the community meetings, a group is trying to bridge significant gaps in expectations and priorities between one town's police chief and its citizens. Other groups are working to create circles of parents who can share information about and better supervise their teenagers' activities, and to create more recreational opportunities for youth.

The contagious energy and vision of the community justice committee have been taken up by new groups in these towns. Their efforts are likely the beginning of many possible community-building initiatives in Boise County.

### *Jefferson County, Oregon*

Jefferson County is a high desert county on the eastern side of the Cascade Mountains, east and south of the city of Portland. It is the only county in Oregon in which whites do not compose the majority of the population. One-third of the population is white, one-third is Native American, and one-third is Mexican American. The reservation of the Confederated Tribes of Warm Springs, which operates its own

tribal police and courts, is located in the county.

The impetus for community justice in Jefferson County came from two judges in the county's judicial district. Their initial concern was the adequacy of dispositions available to them in juvenile cases. They responded by creating a peer jury program that relies on young people to "sentence" juvenile offenders in diverted cases. The judges created a merchant accountability board for first-time retail theft offenders that forces them to confront the consequences of shoplifting and take responsibility for what they did. In partnership with the district attorney's office, the judges successfully advanced a domestic violence initiative to strengthen and speed up the county's response to domestic violence. This effort includes additional resources for the prosecution of domestic violence cases, education and outreach programming, and diversion for low-level offenders. The judges also created a drug court for adults and a community service program for juveniles.

Like their counterparts in Idaho, the leaders of Jefferson County's community justice initiative soon turned to noncriminal justice matters. They broadened the base of people involved in community justice by working effectively with the Hispanic, American Indian, Anglo Bureau for Love and Advancement (HAABLA), a community group dedicated to interracial understanding and harmony. They created an

education program for divorcing parents to advance understanding of the repercussions of divorce on children. They created a small-claims and eviction mediation program that relies on citizen panels to resolve disputes more informally and rapidly than the courts. They were instrumental in bringing a Boys & Girls Club to Madras, the county seat, to create more recreational opportunities for young people.

An example of more robust community-building efforts in Jefferson County is the bicycle program, created as an incentive for children to attend school regularly. The program was developed by HAABLA and involves various businesses, public officials, and agencies. Of particular concern was the high dropout rate of Native American students in the county. Each student signs a performance plan, which includes a contract to attend school and do his or her schoolwork regularly. The prize for each successful child is a reconditioned bike or rollerblades and instruction on their safe use.

The circuit judges in Jefferson County have worked closely with the tribal judges in nearby Warm Springs Reservation in their efforts to incorporate restorative measures into the tribal courts' dispositions. Among the contemplated outcomes is the transfer from circuit court to tribal court of low-level offenders who are from the reservation as part of a diversion program. The judges are working with a local state

legislator to explore the possibility of introducing legislation to allow some nondiverted cases to be handled in tribal court, a more appropriate site for handling many matters.

As the judges succeed in broadening the involvement of this diverse community in their efforts, the possibilities for expansion of community justice in Jefferson County seem strong. The participation of the Warm Springs tribal government and courts may also lead to new dimensions in the programs that might be of interest across the country.

### *Monroe County, Wisconsin*

Monroe County is a rural county in western Wisconsin. It is primarily agricultural, and its rolling hills and forests combine with its large dairy farms to create stunning scenes of rural life. Although Monroe County has a community justice coordinator and a 14-member countywide criminal justice coordinating council, its community justice efforts were less developed than the other sites we visited. The spark for the program came from the former chair of the county board, who questioned the desirability of building a large new jail in response to overcrowding in the current facility. She created a citizens committee to study the need for a new jail and alternatives to confinement in some criminal cases.

The committee recommended the creation of a broad-based effort to examine the criminal justice system and to look more closely at prevention-focused activities. This effort led to the creation of a community justice coordinator position and, more recently, a court service worker to help implement initiatives. Among the most important initiatives currently under way are an adult electronic-monitoring program; an effort to create pretrial services for people otherwise held in the jail; the creation of a community service program, including juvenile intensive supervision and electronic monitoring; and a restorative justice program.

The coordinating council, working closely with the county's human services department, has also created an initiative to respond comprehensively to those convicted of drunk driving. Although the coordinating council is dominated by people from the criminal justice system, strengthening prevention services is becoming a high priority for the community. A large meat-packing plant has drawn many Mexican-American workers to the county, creating racial tension. The integration of these newcomers into the community has been filled with challenges, and resolving the cultural differences and tensions remains difficult. The coordinating council has begun a process of community meetings to expand the range and ownership of the activities.

### *Burlington, Vermont*

Burlington, with a population of 35,000, is the largest city in Vermont. It is enthusiastically engaged in several community-based efforts. The impetus for community justice efforts came from various sources, and the most predominant were from outside the criminal justice system. The mayor's office had a variety of neighborhood projects under way and believed that neighborhood disputes, public concern about juvenile behavior, underage drinking, and the desirability of more robust juvenile justice dispositions should be matters of government priority. Nearly concurrent with these activities, the Vermont Department of Corrections made funds available to communities throughout the state to create citizen-run reparative probation boards as a dispositional alternative in low-level criminal cases.

The city hired a community justice coordinator and located a community justice center in downtown Burlington. Through the guidance of the coordinator, the Burlington Community Justice Center has become the hub of various activities

loosely defined as community justice. Like the other sites, Burlington moved from criminal justice concerns to broader social, educational, and civic concerns. Whereas the center is administering the Department of Corrections Reparative Board process in Burlington, most of its activities do not focus on criminal justice.

The center created a focus group of formal and informal minority leaders to help develop effective and respectful outreach strategies to communities of color in Burlington. The center produces a bimonthly public access television show to inform the larger community about its activities and to air relevant justice issues. The center also supports the Neighborhood Action Project, the goal of which is to develop preadjudicative neighborhood solutions, such as community mediation panels and group conferences, for neighborhood problems and low-level crime. The center hopes to learn from these efforts and to move such activities into all neighborhoods in the city as an alternative to use of the criminal justice system.

# III. Analysis

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It is tempting to suggest that some model for community justice exists, but such a characterization would not do justice to the developmental and fluid nature of community-based efforts in rural America, which might take an entirely different shape in areas not discussed here. It seems best then to embroider the factual stories with our analysis to tell more fully the stories of the four communities we visited.

We see three distinct phases to community justice developments in the four communities discussed in this monograph. The first is the effort to create more nuanced sentencing dispositions. In the second, the community seeks to address underlying social problems. Their greater exposure to the realities of offenders and their offenses through the sentencing process fuels the desire to prevent later delinquency and to create the possibility of better lives for its citizens, especially its young people. Inherent in this phase is explicit recognition of the desire to preserve a way of life, to re-create a kind of community that nurtures, protects, and holds its young accountable. We call the third phase community problem solving. It is directed at specific community problems (not always well defined) and is a more immediate response to the desire for a better life now for all citizens of the community.

## *Beginnings*

Community justice initiatives often begin because people are dissatisfied with the criminal justice system. In each rural community, frustration with traditional remedies fuels a desire for a more nuanced and appropriate set of consequences. This need for alternative dispositions explains the creation of restorative justice programs, community service projects, merchant accountability boards, peer juries, and electronic-monitoring efforts.

The principals' desire for more robust dispositions leads them to invite citizen participation, in part because citizen involvement is thought to be powerful in creating satisfactory outcomes. For example, it is thought that teenage offenders are more attentive to the judgments of a peer jury and that those juries identify sentences that are experienced more powerfully by young people. Community service projects and restorative justice meetings between victims and offenders are also thought to advance the purposes of sentencing more effectively than conventional methods.

However, there are other reasons for dissatisfaction with the criminal justice system in these communities. The system is viewed as slow and formal, unable to cope with

matters, particularly low-level offenses, that demand rapid and informal responses. Diversion programs are created to speed up the justice system's response and to allow for more measured, individualized approaches.

Clearly, participants in these communities' criminal justice systems believe that many of the matters that come into the system would be addressed more appropriately through alternative sanctions.

Truancy, for example, is a problem in at least three of the four communities. Truancy tickets, although a common response, seem particularly unlikely to be effective, especially when truancy's diverse underlying causes are understood. This problem may yield instead to specific problem-solving approaches such as dealing with bullies who scare kids away from school, devising ways for children to get ready for school when their parents are not at home in the early morning, and demonstrating the value of education to parents.

Another reason for dissatisfaction with the criminal justice system is its perceived unfairness. One sheriff noted that the only kids who receive underage drinking tickets are the truthful ones. It is impossible, he said, to "convict" a youngster for underage drinking in many cases unless the youngster confesses. In his view, the system teaches young people the wrong lesson.

Frustration with the criminal justice system's capacity to respond effectively to large-scale underage drinking parties and domestic violence is substantial in all four communities. Enforcement of the problem, cited in each county as intransigent, is regarded as ineffective. In some instances, efforts to crack down seem to exacerbate the risks of drunk driving, fights, sexual assaults, and property damage by driving parties to more remote spots.

In response, each site began a discussion of how to implement more carefully crafted approaches that reduce specific harms. For many sites, an important goal is to bring some measure of self-regulation to the drinking parties by reducing or eliminating drunk driving and by educating youth, parents, and other guardians. In this example, there is movement away from ineffective law enforcement and toward control of harms.

Judges, prosecutors, and probation officers in the four sites see children who have behaved inappropriately in juvenile court and believe their misbehavior is explained in part by their dysfunctional upbringing. The participants, foreseeing wave after wave of similar kids in the future, wish to improve parenting from before birth through the high school years.

To confront these problems, the four communities look to social service and health programs that

strengthen families. They have created parenting, teen pregnancy, and healthy families programs that respond directly to important community needs. Making these programs available is not conventionally thought to be the business of the criminal justice system. However, because the four sites are struggling with problems they feel are the product of social and family defects, they believe it is critical to seek broad community involvement in these programs.

In all of these efforts, the official actors in the criminal justice system are not blind to its shortcomings, which explains in part why they seek to invent new responses. There is implicit recognition that the system as presently configured cannot deliver the outcomes desired. Instead, these actors seek methods of social control that rely on relationships among people rather than those imposed by government through the formal system.

### *Problem Solving and the Desire for Civility*

In every community, increased community participation led to a broader inquiry about community needs and desires. Many community members stated, in various forums, that a cherished way of life was changing for the worse. Their robust sense of community was shrinking, and their belief that they knew their community's values and shared them was being undermined. They desired a shared sense of rules that

the community should live by, consequences for violating those rules, and incentives and opportunities for those who lived by them. They also desired a better and more harmonious quality of life.

Most of the disharmony people were concerned about had to do with young people and the perceived failure of parents to raise them properly. They did not believe that government and the criminal justice system could return their communities to the "state" they believe once existed but were determined to improve the conditions of their communities.

We believe, then, that community justice is a condition of life that people desire, a condition in which people agree to, know, and play by the rules. There are negative consequences for not abiding by the rules and rewards for playing by them, the most important of which is the opportunity to have a fulfilled, fully realized life. The condition also requires solving problems that the justice system does not seem equipped to handle—to see to it that young people are properly socialized, for example, or to ensure that the places people inhabit are safe and secure. Most people feel that the criminal justice system alone cannot create this condition and that substantial progress requires community-based involvement to create and preserve it.

If community justice is to be created, two things must happen: The

criminal justice system's relation to the community must be realigned, and community members must work to create civility. Realignment gives the natural forces of social control (personal and work relationships, for example) a more vital role in dealing with problems that yield to such involvement. The creation of civility is everyone's responsibility, especially individual community members.

It is important to emphasize that these words—civility, harmony, and condition—are the authors', not those of the community members with whom they worked. However, when offered these characterizations and this overall analysis, the community members viewed them as a fair characterization of what they want and are in the process of doing.

When we discussed this realignment of responsibility with the communities, we used examples to inquire how community members understood relative roles. We offer them here to sharpen this point.

**Example 1.** Most communities would agree that a serial rapist should be isolated from the community, ordinarily through imprisonment. Such a response provides punishment, promotes safety, reduces fear, and creates the possibility for healing and restoration of individual victims and the community. Other measures also might be invoked to provide some of these values. Therefore, the primary responsibility for imprisonment lies

with government, although more complex approaches that include community involvement may be needed to promote healing and reduce fear.

**Example 2.** Imagine a fight between two 14-year-old boys in which a teacher intervenes. Unless there is something extraordinary about the boys or the incident, the teacher would probably call the parents of the boys, explain what happened, and expect the parents to deal with the behavior. Ordinarily, we would hope that the relationship of the parents to the two boys, the desire of the boys to live within their family and community norms, and the boys' need for their parents' understanding and respect would lead to informal, natural forces working to restore order and teach lessons about living together. The exact content of the social control exerted might vary, but some degree of accountability, healing, and restoration directed toward the individuals and the community could be expected. An important objective would be for the youth to learn from the event and not repeat it. Ultimately, the goal of "fully realized" people and communities would be paramount.

Although government plays a role in this example, it is minor compared with government's role in dealing with the serial rapist. Natural forces of social development and control probably would likely be much more powerful in the lives of the two boys than would



government in the form of the juvenile justice, child welfare, or criminal justice systems.

**Example 3.** Imagine that there are frequent fights in a particular tavern. Several responses are possible. One would be to arrest the participants after each occurs and punish them, which is how the justice system would respond in most communities. A more robust response would strive to repair the relationship of the two individuals and repair the harm they have done to the community.

Another response would be to examine the sequence of events in the tavern to learn more about the fights, the time and place they occur, the participants, and why fights are occurring with such frequency. This response would invoke a combination of formal and informal social controls to prevent fights in the future and to deal constructively with those that had already occurred. We can imagine arresting some participants. We can also imagine educating the bartender about how to stop fights when disagreements occur, when to refuse to serve drinks so that people do not become so intoxicated that they fight, and how to manage crowds, lighting, and other events in the bar that might contribute to the outbreak of fights. In addition, we can imagine threatening civil action to revoke the owner's liquor license if disorder persists.

In this example, government activity and natural forces could work together to advance important private and community interests. The configuration of government and natural forces most likely to achieve the purposes of the community and be most appropriate is difficult to determine. Individual circumstances, customized evaluations of assets and liabilities, and, ultimately, customized approaches must be considered. At the heart of community justice is the process of deciding what this configuration of government and natural forces might be, who will decide it, and how it will be decided. Greater clarity and specificity about what communities are engaged in, what assets and liabilities they have, what values they hold, what they want, and why they want it will greatly advance that process.

Our observation is that people are more likely to be in the condition they desire if they are doing something about its creation. This seems like an obvious point: that the "doing" itself contributes to the condition, in part because it gives people the feeling they can do something for themselves and their communities. Coming together to share concerns, to look for solutions, builds confidence in shared values. Once the problem has a name, its dimensions are understood, and the possible strategies for dealing are suggested, there is a feeling of relief, and of energy. People think that together they can

do something. So they do. And the “doing” satisfies. It helps create the condition of community justice.

### *Tensions*

Of course, everything is not all sweetness and light once community energy is released and directed toward solving community problems. We identified several tensions that affect the shape and progress of community justice efforts.

One readily identifiable source of tension is that many participants in the criminal justice system are stuck in their roles. They are law enforcers, prosecutors, defense lawyers, and judges. They arrest, prosecute, defend, and sentence. They are not necessarily problem solvers. This is by no means true of all the participants we observed, and, to be fair, being stuck in the role is not necessarily by choice. Some police officers, for example, believe that enforcement alone will not solve the problem of underage drinking, but feel they have few options absent support for a more nuanced approach. Simply, they are not always appropriate or sufficient to solve community problems.

A second tension revolves around the definition of community. In everyday use in the sites, the term means those not part of government. However, each place implicitly understands that there are distinct communities within a rural county

because of their history, geography, size, culture, assets, and liabilities. When assessing a problem and taking action, people know their differences and tend to define community according to their perception of who contributed to a problem, is affected by it, or has a role in solving it.

A third tension is the question of how to spur communities to act. We expected to hear that the spark was an incident or event that galvanized action. Although such events occurred in the communities we visited, the spark really was the accretion of dissatisfaction over time. For the spark to become a flame, however, the right mix of grassroots action and leadership must be present. Top-down efforts to galvanize communities alone seem insufficient, but without leadership, grassroots efforts may become muddled. Ironically, the leadership comes from government, participants in the system who see the limits of what they have the capacity and authority to do.

A fourth tension involves the human instinct to reach for solutions readily at hand. Doing otherwise—defining problems in terms of unknown or unavailable solutions—would be daunting. Fortunately, communities can learn from one another when their problems are similar. However, each community’s assets, liabilities, and culture are different, requiring local strategic thinking to solve problems.

## *The Future of Community Justice*

What is the future of community justice in rural communities? The experiences of the communities studied for this monograph indicate that success will be dictated by three factors: value, capacity, and authority. Community justice is unlikely to develop and flourish unless it develops outcomes that have value in the community. Development requires capacity—the will, means, and skill to create value in the world. Finally, there must be authority to act. The authority can be legal (the court’s authority to fashion dispositions, for example) or informal, with its legitimacy derived from its popular approval.

Community justice initiatives now in place have four possible futures. Some communities will see their efforts fade away. In others, community justice will become a minor adjunct to the system or a conventional prevention-focused effort. Finally, a few will transform their efforts into ongoing problem-solving endeavors.

**Fade away.** Community justice could fade away for several reasons. The conventional criminal justice system might discourage and stymie efforts to reorder its relationship with the community. Or the requisite leadership or communal sense of urgency may not be present. If the participants in the criminal justice system lack the imagination to

see beyond the system’s available solutions, they will likely only give lip service to greater community involvement. Because the community justice movement lacks legal authority, it relies on community demand for its power and legitimacy. If such support is lacking, the movement will be unable to survive resistance from the criminal justice system or indifference from community leaders and members. In this future, the community justice movement is likely to wither.

**Adjunct to the system.** The community justice movement typically starts in low-level cases, in efforts to create more robust dispositions, divert appropriate cases, and enlarge community involvement in the dispositional process. Manifestations include community service, peer juries, and reparative boards. A second possible future for community justice is that it will continue as an adjunct to the criminal justice system. Although it may appear that this development will relieve the system and communities of business that ordinarily is processed through the criminal justice system, this is not necessarily so. The availability of more dispositional alternatives may lead to more business for the system because more dispositional alternatives are available to it. Although most efforts to enlarge dispositional alternatives through community justice clearly are not designed to increase business, they surely have this potential.

**Prevention.** A third possibility for community justice is that it will focus efforts on prevention. In several of the communities we observed, the community justice system devoted energy and attention to the creation and delivery of social services, particularly in the areas of teen pregnancy and healthy families. Most, but not all, such efforts quickly became government programs and no longer relied on the energy of community members for their continued existence. In this future, the efforts become institutionalized while continuing to create great value.

**Community justice as problem solving.** A fourth possibility for community justice is that it will evolve into a community problem-solving effort. The basis for this conception of community justice is the notion that community justice signals a reordering of the relationship between government and its citizens and that natural forces of social

control that exist in ordinary human relationships have more power than does governmental authority. The community effort to solve the dog problem in Boise County, Idaho, for example, shows that informal influences on human behavior may be more apt to yield value, satisfactory solutions, and stronger communities than the criminal justice system. In this future, communities become a nearly inexhaustible supply of informal possibilities for social control. This energy can be brought to bear and may be more effective and satisfying than current efforts.

Some proponents of community justice see its ultimate goal as the building of stronger communities. Stronger communities can be built on more robust dispositional alternatives (the starting point), but this approach seems unlikely unless efforts at prevention and problem solving that contribute to justice and civility also occur.

## IV. Choosing the Future

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Reflecting on the experiences of the communities we have visited, we offer the following conclusions about creating conditions in which community justice thrives.

**Creating opportunities and rewards.** Communities are built on shared values, and community justice exists when those values are honored and their rules upheld. Our current justice system stresses the interdiction and sanctioning of rule violations and ignores the necessity of rewarding abiding by the rules. Community justice is a vehicle for creating rewards and reminding government of the need for careful attention to the availability of opportunities for achieving a decent life.

**Honoring differences while reinforcing shared values.** From Vermont to Oregon, every town in America, no matter how small, holds within it a rich diversity of cultures and ways to lead a fulfilling life. Community justice thrives when those differences are acknowledged and celebrated. The process of building community justice will succeed when opportunities are created to fully explore what values are shared and what outcomes are desired. However, community justice will be neither just nor community based if it signals a way to enforce one group's notion of propriety on everyone else.

**Creating opportunities for participation.** The value of community justice to the whole community will likely be greater if the process by which it is built includes ample attention to who is involved and how they are involved. Where meetings are held, at what time, and with what support (such as child care and transportation) all affect who can participate. How the meetings are structured and how voices are acknowledged affect the power of the participation. Faith institutions, workplaces, schools, coffee shops, barber shops, and social clubs are but a few of the places where different parts of the community gather and can be reached.

**Making use of private resources.** The addition of resources from non-governmental sources, whether grant funds, office space, staff time, or goods and services, can play a vital role in changing the balance of influence between government and the community and in keeping governmental participants committed to the process. When private and public resources are joined in response to problems identified collaboratively, the value of each is enhanced.

**Using the power of position.** Frequently, those who sit in the highest positions in the justice system have the clearest view of their community's problems. That view,

when backed by a desire to go beyond the limitations of their position in the system, can be an important impetus for starting community justice efforts. Judges, prosecutors, sheriffs, and police chiefs can call on others to begin conversations, plan, and take action. Typically, they are also in a position to seek assistance from state or federal sources or from their own professional associations.

**Supporting community justice.**

Foundations, professional associations, and state and federal government agencies have roles in supporting the development of community justice. Providing funds for courts to create community service programs or teen courts, funding a staff position in a probation agency to do home visits, or offering training in mediation, dispute

resolution, and community organizing are ways that outside organizations can help. However, subtler and simpler ways exist. Public officials engaged in building community justice need the endorsement of the highest officers within the state, including the state supreme court or the attorney general. State officials must encourage their agents to think differently about their roles, adopt a more problem-solving approach, and then lead discussion of these approaches at official meetings and conferences. At a national level, professional associations can offer training, materials, and ideas.

Individuals need the support of communities to lead safe and decent lives. Communities need leadership, resources, and support to achieve community justice.

# V. For More Information

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For more information about community justice initiatives, contact:

**Center for Effective Public Policy**

8403 Colesville Road, Suite 720  
Silver Spring, MD 20910  
301-589-9383  
Fax: 301-589-3505

**Bureau of Justice Assistance**

810 Seventh Street NW.  
Washington, DC 20531  
202-514-6278  
World Wide Web:  
[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)

**Bureau of Justice Assistance  
Clearinghouse**

P.O. Box 6000  
Rockville, MD 20849-6000  
1-800-688-4252  
World Wide Web: [www.ncjrs.org](http://www.ncjrs.org)

Clearinghouse staff are available Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. Ask to be placed on the BJA mailing list.

**U.S. Department of Justice  
Response Center**

1-800-421-6770 or 202-307-1480

Response Center staff are available Monday through Friday, 9 a.m. to 5 p.m. eastern time.

# Bureau of Justice Assistance Information

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## General Information

Callers may contact the U.S. Department of Justice Response Center for general information or specific needs, such as assistance in submitting grant applications and information on training. To contact the Response Center, call 1-800-421-6770 or write to 1100 Vermont Avenue NW., Washington, DC 20005.

## Indepth Information

For more indepth information about BJA, its programs, and its funding opportunities, requesters can call the BJA Clearinghouse. The BJA Clearinghouse, a component of the National Criminal Justice Reference Service (NCJRS), shares BJA program information with state and local agencies and community groups across the country. Information specialists are available to provide reference and referral services, publication distribution, participation and support for conferences, and other networking and outreach activities. The Clearinghouse can be reached by

- Mail**  
P.O. Box 6000  
Rockville, MD 20849-6000
- Visit**  
2277 Research Boulevard  
Rockville, MD 20850
- Telephone**  
1-800-688-4252  
Monday through Friday  
8:30 a.m. to 7 p.m.  
eastern time
- Fax**  
301-519-5212
- Fax on Demand**  
1-800-688-4252
- BJA Home Page**  
[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)
- NCJRS World Wide Web**  
[www.ncjrs.org](http://www.ncjrs.org)
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[askncjrs@ncjrs.org](mailto:askncjrs@ncjrs.org)
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type:  
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[your name]

The logo for the Bureau of Justice Assistance (BJA) features the letters 'BJA' in a large, bold, serif font. The letters are black and have a slightly stylized appearance with some internal shading or texture.



**U.S. Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Assistance*

*Washington, DC 20531*

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