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# **Engaging the Community in the Response to Youth Crime:**

**A Restorative Justice Approach**



**DRAFT MONOGRAPH**

**Prepared by**

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**Balanced and Restorative Justice Project**  
**FLORIDA ATLANTIC UNIVERSITY**

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# 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 93415, 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.

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**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.

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**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.

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

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**DRAFT MONOGRAPH**  
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## *About the Balanced and Restorative Justice Project*

In 1993 the Balanced and Restorative Justice Project began as a national initiative of the Office of Juvenile Justice and Delinquency Prevention through a grant to Florida Atlantic University. A partnership arrangement with the Center for Restorative Justice and Mediation was developed in 1994 through a subcontract with the University of Minnesota. The goals of the project are to provide training and technical assistance and, develop a variety of written materials to inform policy and practice pertinent to the balanced approach mission and restorative justice.

This *Engaging the Community in the Response to Youth Crime: A Restorative Justice Approach* is part of a series of policy and practice monographs and training materials for the field. Other publications in the series include:

- ❑ *Balanced and Restorative Justice for Juveniles: A Framework for Juvenile Justice in the 21st Century* (1997). Available through the Balanced and Restorative Justice Project.
- ❑ *Balanced and Restorative Justice Program Summary* (1995). Available through NCJRS.
- ❑ *Balanced and Restorative Justice Project Curriculum Guide* (forthcoming, summer, 2000). Published for OJJDP by the Balanced and Restorative Justice Project.
- ❑ *Conferences, Circles, Boards, and Mediations: Restorative Justice and Citizen Involvement in the Response to Youth Crime* (forthcoming summer, 2000)
- ❑ *Guide for Implementing the Balanced and Restorative Justice Model* (1998). Available through NCJRS.

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# ENGAGING THE COMMUNITY IN THE RESPONSE TO YOUTH CRIME: A RESTORATIVE JUSTICE APPROACH

## INTRODUCTION



“Courage, or faith, or imagination - the daring to dream, in the full awareness of our shortcomings - is crucial to the emergence of community.” Cloudhand, p. 112.

Balanced and Restorative Justice (BARJ) is a new framework for juvenile justice reform which seeks to engage citizens and community groups both as *clients* of juvenile justice services and as *resources* in a more effective response to youth crime.<sup>1</sup> To do this, the Balanced Approach mission attempts to ensure that juvenile justice intervention is focused on basic community needs and expectations. Communities expect “justice” systems to improve public safety, sanction juvenile crime, and habilitate and reintegrate offenders. True “balance” is achieved when juvenile justice professionals consider all 3 of these needs and goals in each case and when a juvenile justice *system* allocates its resources equally to meeting each need.

Restorative justice is a new way of thinking about and responding to crime which emphasizes one fundamental fact: crime damages people, communities, and relationships. If crime is about harm, a “justice” process should therefore emphasize repairing the harm. As a vision for systemic juvenile justice reform, restorative justice suggests that the response to youth crime must also strike a “balance” between the needs of victims, offenders and communities and that each should be actively involved to the greatest extent possible in the justice process. Restorative justice builds on traditional positive community values and on some of the most effective sanctioning practices including: victim offender mediation, various community decisionmaking or conferencing processes (e.g., reparative boards, family group conferencing,

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circle sentencing), restorative community service, restitution, victim and community impact statements, and victim awareness panels.

What is most *new*, and most important, about restorative justice is a set of principles that redefine the way justice systems address public safety, sanctioning, and rehabilitative objectives. Specifically, when crime is understood as harm and justice as repair or healing, and when the importance of active participation of victims and community members in the response to crime is emphasized, these basic community needs are understood and addressed as follows:

*Accountability.* Traditionally, accountability has often been viewed as compliance with program rules or as “taking one’s punishment.” However, 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.

*Competency.* Most rehabilitative efforts in juvenile justice today are still centered around fairly isolated treatment programs which are not well accepted by the public. A Balanced and Restorative Justice approach to offender reintegration suggests that rehabilitation is best accomplished when offenders build competencies and strengthen relationships with law-abiding adults which increase their ability to become contributing members of their communities.

*Public Safety.* Although locked facilities must be part of any public safety strategy, safe communities require more than incapacitation. Because public safety is best ensured when communities become more capable of preventing crime and monitoring offenders and at-risk youth, a balanced strategy cultivates new relationships between juvenile justice professionals and schools, employers, and other community groups. A problem-oriented focus ensures that the time of offenders under supervision in the community is structured around work, education, and

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service. It also establishes a new role for juvenile justice professionals as resources in prevention and positive youth development.

Today, when a crime is committed, most juvenile justice professionals are primarily concerned with three questions: who did it, what laws were broken, and what should be done to punish or treat the offender? While questions of guilt, lawbreaking, and appropriate intervention are certainly vital to prosecutors, these questions alone may lead to a limited range of interventions based solely on treatment and punishment:

Treatment and punishment standing alone are not capable of meeting the intertwined needs of the community, victim, offender and family. For the vast majority of the citizenry, juvenile justice is an esoteric system wrapped in a riddle. Support comes from understanding, understanding from involvement and participation. Community involvement and active participation in the working of a juvenile court is a reasoned response. . . (currently) community members are not solicited for input or asked for their resourcefulness in assisting the system to meet public safety, treatment and sanctioning aspirations (Diaz, 1996).

Viewed through the restorative “lens,” crime is understood in a broader context than what is suggested by the questions of guilt and what should be done to punish or treat the offender.

Howard Zehr (1990) argues that, in restorative justice, three very different questions receive primary emphasis. First, what is the nature of the harm resulting from the crime? Second, what needs to be done to “make it right” or repair the harm? Third, who is responsible for this repair?

Defining the harm and determining what should be done to repair it is best accomplished with input from crime victims, citizens and offenders in a decisionmaking process that maximizes their participation. The decision about who is responsible for the repair focuses attention on the *future* rather than the past and also sets up a different configuration of obligations in the response to crime. No longer simply the object of punishment, the offender is now primarily responsible for repairing the harm caused by his/ her crime. A restorative juvenile court and justice *system* would, in turn, be responsible for ensuring that the offender is held accountable for the damage and suffering caused to victims and victimized communities by

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supporting, facilitating, and enforcing reparative agreements. But, most importantly, crime victims and the community play critical roles in setting the terms of accountability and monitoring and supporting completion of obligations.

If crime victims and the community are to become fully engaged as active participants in the response to youth crime, juvenile justice professionals must begin to think about these stakeholders in different ways. In addition, the *role* of the professional and the mandate of the juvenile justice system is likely to change. To move forward with this new agenda it is important to understand the community's needs and the potential role and responsibility of community groups and citizens in the response to youth crime.

The purpose of this monograph is to provide a rationale for engaging community members in the juvenile justice process, discuss the role of the community in various aspects of the response to youth crime (ensuring accountability, reintegrating offenders), describe the new relationship between communities and juvenile justice systems that appears to be emerging in conjunction with restorative justice initiatives, and discuss specific strategies for involving community that have proven effective in various settings.

### **WHY COMMUNITY?**



Minnesota Lt. Governor Benson and her family were walking through a glass enclosure in Minneapolis leaving a basketball game to return to a parking ramp. They passed a group of young adolescents engaged in horseplay. Because of the large amounts of glass and the need for other people to pass through, Benson stopped and asked the youth to stop their activity. She continued on her way. Her son, however, noted that the boys continued fooling around. He turned and said, “Boys didn’t you hear what she said?” The Lt. Governor looked at her watch and added, “Now we don’t want you to get hurt, and by the way,

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isn't it time for you to go home?" As the Benson family turned to leave, one of the boys tugged the sleeve of the Lt. Governor and asked, "Do you work here?"

The Lt. Governor's story reflects a citizen's attempt to achieve social control based on an accepted community norm: safety. The story also reflects two points about our society: 1) the adolescent behavior toward the adults is a norm; 2) the adult behavior toward the adolescents is *not* a norm.

There is evidence to support the two points. The evidence is often reported in seminars and workshops. Participants are asked, "How many of you experienced having adults other than your parents tell you what to do, or how to behave in your neighborhoods when you were children?" Big grins spread across faces and everyone nods, remembering the times they were held accountable, disciplined or brought into line by someone other than family. "My parents didn't have to do anything – by the time I got home I had been thoroughly chastised," or "By the time I got home my parents already knew all about the incident." For people over twenty-five years of age the response is consistent – they remember non-family members involved in holding them accountable to community norms, and those memories typically prompt smiles.

"How many of you do that in your neighborhoods today?" The smiles fade and a few heads nod but most of the audience soberly acknowledge that they and their neighbors do not function that way today. There is widespread agreement that adults in the community are not participating in the rearing of other people's children in the ways they have in the past. Moreover, from their life experiences, today's youth expect that the only people who will speak to them about their behavior in public are immediate family (maybe) and people who are paid!

The past 30-40 years may well be the first time since humans formed communities that parents, alone, are expected to socialize their children to community norms twenty-four hours a

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day, without the reinforcement of other adults in the community, wherever the children may be. Indeed, the overwhelming nature of such an assignment contributes to the enormous stress experienced by families.

Yet, the most important implication of this state of affairs is for children and youth. If the only adults who intervene in the lives of young people, besides family, are those who are paid – police, teachers, youth workers, probation officers -- then children may interpret this to mean that others do not care about them, that they do not belong to the community, that they are unimportant to the community. The implicit message to youth today -- that the only ones who will bother with their lives are immediate family and professionals -- is an extremely corrosive one which reinforces a world view quite distinct from the one many of us were socialized to accept. This is a world that does not encourage empathy or a sense of a common good larger than the individual interest.

As director of a runaway and homeless youth program in Sheboygan County, Wisconsin for nine years, Mary Klamme clearly learned how important non-paid adult relationships are for youth. The program uses volunteer foster parents who are willing to give up to two weeks of their time to provide foster care for a youth experiencing problems at home. The program then works intensively with the family during the crisis.

A 14-year-old girl, who was experiencing some abuse with her parents in her home, had run away and called Mary's program. Mary picked her up from a friend's home and gave her a ride to the foster care parents' home. The girl was acting and talking like a typical teenager in a crisis and had become somewhat critical due to some distrust of her foster parents. Then Mary talked to her about being considerate of the foster parents, "because they are volunteers and don't get paid, you need to treat their home with respect." The car became quiet, and Mary glanced

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over to see her. Tears were streaming down her face. When she asked the girl what was wrong, she said, “I thought they were getting paid to take me in. Why would they want to help *me*, for nothing?” Mary then proceeded to have a discussion with the girl about this question, but notes that it taught her an essential lesson: how important it is to some teens that people want to help for free.

Setting limits on behavior generally sends a message of caring as well as accountability. When adults remember those experiences of being disciplined by others, they usually also remember some sense of support and belonging, of being important enough that others paid attention. They may not have liked the consequences, but they recognized that it represented some kind of commitment to their well being.

### **Juvenile Justice and the Community**

As the role of communities, community groups, and neighborhood adults in sanctioning and supporting young people has declined, the responsibilities of the juvenile justice system have expanded dramatically. Juvenile courts and justice professionals are under enormous pressure to respond to a wide variety of problems once addressed by neighbors, teachers, extended families, coaches, clergy and other community members. Although juvenile justice must take seriously community demands that public safety, sanctioning and offender rehabilitation be addressed, it cannot do so effectively in isolation from citizens and community groups. Communities have tools and resources which the system does not have. The community also has *moral authority* that must work hand-in-hand with the *legal authority* of the juvenile court. The court and juvenile justice system cannot deliver on public expectations without the active involvement of the community.

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Government, acting in the form of the juvenile justice system, has a vital coordinating and leadership role to play in an effective response to youth crime. Communities *cannot act alone*. Yet, Australian criminologist David Moore warns that the role of citizens in this response must be revitalized:

“Where subtle methods of social regulation and control have been transformed or forgotten, the state is required to intervene with unsubtle methods of arrest and incarceration. Criminal justice systems may continue to promote collective norms, but the modern rational state ultimately lacks the emotional resources to maintain - let alone strengthen - the moral order.”

Mutual responsibility is the loom on which the fabric of community is woven. Crime weakens this fabric due to a breakdown of responsibility - clearly on the offender side - sometimes on the community side as well. Our response to crime must emphasize and re-establish mutual responsibility. The juvenile justice system must facilitate and support effective responses to crime, but these responses are primarily a community function.

The juvenile justice system can exercise a great deal of power over the bodies of offenders. Yet, the court and its intervention programs are relatively powerless in affecting hearts and minds. Communities *can* have such an impact and are thereby ultimately more capable of influencing the behavior of their members, including offenders. Similarly, the harm caused to victims by crime is not easily repaired by the justice system acting alone. Crime victims also need the support of their fellow citizens and community groups in their efforts towards healing. Ultimately, all citizens depend on each other and rely on neighborhood institutions (e.g., schools, churches) as much as juvenile justice agencies to prevent and control youth crime, and to develop a lasting sense of peace and safety.

Relationships are the “threads” from which the “fabric” of community is woven. Restorative justice is about relationships - the way these connections are damaged by crime and the power of relationships to heal and transform victims, offenders and community. A justice

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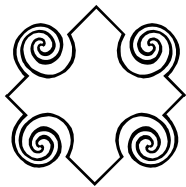
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process which seeks to repair the harm to those affected by crime will be one that heals damaged relationships. Such a process must, by definition, be pursued in the context of community.

## COMMUNITIES, CRIME, AND RELATIONSHIPS

For the third time in less than a week, someone had tried to steal my car. I knew this because, once again the lock was bent, the seat was pushed back, and the steering column was removed. I suspected the same juvenile had made all three attempts because on each occasion I found a calling card on the windshield: a partially smeared lipstick "tag," claiming this as the handiwork of one MADDOG. As I was running late, I quickly cleaned off the lipstick and drove to the youth shelter where I worked as a counselor. On this day, I was accompanying a 15-year old male to juvenile court for his fifth charge of Unauthorized Use of a Motor Vehicle. As Wayne and I drive to court, he noticed some of the lipstick and asked about it. I responded that someone, MADDOG, had obviously taken a liking to my car and explained what had happened. It occurred to me that Wayne was an expert of sorts on car theft, so I asked him for his advice on how to deal with the problem. Wayne first suggested that I wait in my house with a shotgun and then "blow away the punk." After explaining that this approach seemed somewhat extreme, I asked what, if anything, would stop him from stealing cars. His response surprised me; he became upset and stated that he would never steal my car. When I gently reminded him where he and I were going and why, he responded that this was different. This was different because he knew me. He did not know the people whose cars he had stolen. I pointed out that even though I did not know MADDOG, I still did not want my car stolen. Wayne remained quiet for a while, and then he really surprised me; he told me to write a note. "Write a note? What do you mean," I responded. "Well, the way I look at it, this punk just wants to joy ride for awhile. I mean, who would want this car?" He laughed at his own joke. "No, really," he continued, "tell them you're a counselor for messed up kids and then ask them to leave you alone. I mean, without your car, you wouldn't be able to drive me to court. Don't swear or nuthin', just be real nice. Put the note in the window. "You really think that will work?" I asked. I don't know, he responded. "But it's worth a try."

I will never know if it was the note, my informal introduction to MADDOG, which served as a deterrent. Perhaps MADDOG found a car that was easier to steal; perhaps MADDOG was arrested; perhaps MADDOG occupied himself with another activity. The possibilities are endless. In any event, MADOG stopped trying to steal my car. And I believe that MADDOG stopped because, in a way, he knew me.

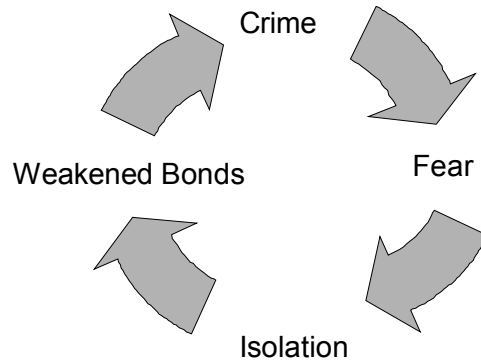


**C**rime -- fear -- withdrawal -- isolation -- weakened community bonds -- more crime. All of us, victims, offenders and community members, are caught in a downward spiral where more crime leads to greater fear and increased isolation and distrust among community members, leading to even more crime. Community safety depends primarily upon voluntary individual restraint on harmful behavior. The more connected community members are, the more likely they are to restrain impulses that would be disapproved by the community. As community bonds are weakened by fear and isolation, the power of community disapproval is reduced and crime increases. In the wake of crime, victims often experience frustration and powerlessness, which add to the pain of the victimization.

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**Figure One**



As Figure 1 suggests, the relationship of the community to crime is quite complex and somewhat circular. First, the community is an entity *harmed* by crime and therefore needs to express the impact crime has had on its quality of life, and occasionally vent outrage or disapproval. Second, the community is a collective *responsible* for the welfare of its members - victims and offenders and is thus required to seek and facilitate a remedy for the incident. Finally, the community is a stakeholder in broader policy issues that effect long-term community health. Its members thus need to *participate* in decision making and implementation of an effective criminal justice process

Crime is both a result and a cause of weak relationships. Three relationships are harmed by crime. The relationship between the victim and the community is harmed because the victim is no longer sure who can be trusted. Victims often experience isolation because other community members don't want to hear about the victimization or may even blame them for the crime. They may also feel let down that the community did not provide protection. The relationship between offender and the community is damaged because the offense both harms the community and weakens the mutual trust of most citizens. The relationship between victim and offender is damaged because the offense both harms and takes power away from the victim.<sup>2</sup> To

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rebuild or strengthen the community fabric, our response to crime needs to attend to all of these relationships.

### **What Do We Mean By Community?**

Lack of clarity about the meaning of ‘community’ is often cited as a problem that must be solved before we can proceed to work with communities. Practical experience in developing restorative community responses, however, tends to demonstrate otherwise. Communities themselves do not worry much about academic definitions. They soon define themselves based on the issue at hand. In this sense, a community is a group of people with a shared interest and sense of connection because of that shared interest. Austin, Texas, District Attorney Ronnie Earle has defined community as “a network of relationships between individuals and groups that share joy and pain,” and has observed with regard to the function of justice systems that:

There is no public safety without peace, there is no peace without justice, and there is no justice without community.

We all function in many different overlapping communities, around different aspects of our lives - work, church, schools, neighborhood, family, hobbies, interests. Because we are a very mobile society, many de-emphasize the “community of place,” which was the most common form of community in earlier generations. This geographic community (e.g., neighborhoods, villages), is not the only form of community, but it is important in the context of crime, because those physically close to a criminal event are generally affected by that event even if they had no relationship with any of those involved. For most people the sense of safety is related to place, and one of the most important characteristics of safe places is community cohesion and a shared sense of efficacy (Sampson, Rodenbush, & Earls, 1997). Generally, geographic communities have a direct interest in the response to youth crime. But others who may not be geographically close may also have a stake in the resolution of the incident. For instance, those who care about

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the victim or the offender may not live in the area where the crime occurred, but they are an essential component of the “community of interest” around the event.

Restorative approaches seek involvement, commitment, direction and resources both from communities of place and the personal communities of those most directly affected by a crime. The question “Who has a stake in the outcome?” helps to identify who the community is for purposes of the response to a specific crime or effort to prevent future crime. Community of interest is a fluid concept, changing as more information becomes available about who was affected, or as others show interest who were not originally identified as having a stake. For the most part, the best way to determine who the community is, is to ask key informants how they identify their community and to leave the process open for people to self identify as members of that community.

### **The Limits of Juvenile Justice Intervention**

How does current juvenile court intervention address the community’s stake in the response to youth crime? For the most part, the community is not recognized as a victim. Hence, the injury to the community fabric remains unrepaired, and citizens must live with the consequences of the way the crime is handled, but with little engagement in the process. The community is not generally involved in crafting an appropriate response to crime by young people and thus has little sense of responsibility for successful outcomes. The current system treats each incident individually and provides no systematic way to learn broader lessons from patterns of delinquency that reflect underlying social issues or to reinforce the message of community responsibility. Thus, the long-term health of the community is unattended to by the current process.

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In addition, several characteristics of the current justice process actually weaken connections between individuals and damage the community fabric. Offenders are deliberately cut off from the community, and victims are inadvertently cut off through neglect, re-victimization by the system and subtle messages of blame from community members. If the process creates a more isolated victim and a more isolated offender, it will fail to promote healing or community peace and the community will suffer. The adversarial focus of the current justice process exaggerates differences between individuals and encourages separation and demonization of “the other” that contribute to violence. Human beings can more readily commit violent acts directed at those they see as “other” or “they.” In addition, the emphasis on retribution and punishment models the very behavior we condemn and consequently sends mixed messages. Ironically, many offenders see themselves as doling out “just desserts” to the victim for some perceived wrong they have experienced. Attempts to punish offenders which fail to confront them with victim and community disapproval of their behavior may reinforce the sense that it is they who are indeed the victims. More benign efforts to rehabilitate offenders in juvenile justice treatment programs where intervention is often disconnected from the harm done to victims and the community may also send a counterproductive message focused solely on the offender’s need for help, rather than the victim needs and the expectation that the offender make it right with the victim.

Even in their attempts to help communities respond effectively to youth crime, juvenile justice systems may diminish the sense of community responsibility in this effort and even weaken the capacity of citizens to socialize and exercise social control over neighborhood young people. In the past twenty to thirty years, the direction of change in the relationship between the community and the juvenile justice system has been toward less and less community involvement

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and more and more reliance upon the state, as represented by formal justice processes - police, courts, corrections. Because it is in communities, not courts and programs, where standards of behavior are affirmed and individuals are held accountable for their actions, it is not surprising that this formal response has had minimal impact. Indeed, David Moore writes that while formal procedures of the justice system provide important safeguards for rights, these same procedures may also:

Deprive people of opportunities to practice skills of apology and forgiveness, of reconciliation, restitution, and reparation. In assuming responsibility for social regulation when a citizen breaches a law and thereby challenges the moral order, the modern state appears to have deprived civil society of opportunities to learn important political and social skills.

The turn to professionalization, and the reliance on formal programs and processes to “fix” the problems of young people, happened in part because the informal community processes of earlier decades were sometimes discriminatory, and inappropriately exercised power over issues which were not central to community functioning. Length of hair, nose rings, baggy clothing, for instance, are not appropriate targets for community control of individual behavior. Because all citizens can be impacted by the behavior of every individual, communities have a stake in the behavior of their members. But community control over individual behavior must be restricted to those behaviors that truly impact others. Since the 1970’s it has become clear that we cannot live together safely without some degree of informal social control at the community level. In rebuilding the role of community in constraining the behavior of its members we must ensure that it is done in inclusive ways which are respectful of individual human dignity. If we base informal social controls on a restorative philosophy, then the potential negative effects of social control are dramatically reduced.

It is especially important that community standards of behavior are communicated to children and young people by consistent messages from all community members. John

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Braithwaite's (1989) international comparison of "low crime" and "high crime" societies concluded that the former societies are those in which citizens "do *not* mind their own business." Indeed, in low crime communities, citizens take ownership over social control and set tolerance limits which are frequently reinforced by informal sanctions, as well as by support for fellow community members (see also Sampson, Rodenbush, & Earls, 1997). Although most of us experienced being held accountable by any adult on our street if we misbehaved as a child or adolescent, most adults acknowledge that they do not exercise that authority over children in their neighborhood today. The rearing of children and the setting of norms cannot be left to individual parents and state institutions (schools). It is a responsibility of every citizen. Likewise, the setting of norms for those who offend is the responsibility of the entire community.

### **A VISION FOR A NEW RELATIONSHIP**

"The biggest gift we can give the community and the people we serve is the opportunity to resolve these problems." Paul Schnell, Deputy Sheriff, Carver County, Minnesota

The justice system's relationship to community has undergone significant change in the past century, and is still in the process of evolving. Unfortunately, the expansion of the system role has left some juvenile justice agencies with greater formal power and more responsibility, yet more isolated from the communities they serve. Indeed, most juvenile justice systems today function in an "expert" modality in their relationship with community. As depicted in Figure 2, these agencies appear to be stuck in Phase one or Phase two of an evolution towards a different relationship with communities.

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**FIGURE 2**  
**JUSTICE SYSTEMS AND COMMUNITIES: AN EVOLVING RELATIONSHIP \***

Phase 1: Justice System Operates Separately from, Independent of, the Community

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

Phase 2: Justice System Provides More Information to the Community about its Activities

1. Expert Model
2. Community viewed as a client with a right to know something about what the professional system is doing
3. Professional system defines and solves the problem, but keeps community more informed about what it does

Phase 3: Justice System Provides Information to the Community about its Activities and Asks for Intelligence Information from the Community to Help Do its Work

1. Expert Model
2. Community seen as a client and as a good source of information for the expert work
3. Professional system defines the problem and solves the problem with useful information provided by the community

Phase 4: Justice System Asks for Some Guidance in Doing its Work, Recognizes a Need for Community Help, Places More Activities in the Community

1. Modified expert model - experts provide leadership, but the contribution of the community is valued
2. Community as a cooperative agent, but justice system still in leadership
3. Community asked to help define problems but justice system is still chief problem solver, with help from the community

Phase 5: Justice System Follows Community Leadership While Monitoring Community Process

1. Expert systems as support systems
2. Justice system operates in support of community in achieving community goals while protecting rights of individuals and ensuring fairness
3. Community defines and solves problems with help from justice system

\* Source: Kay Pranis, Minnesota Department of Corrections

In the new roles depicted in Phase 5, the community is the primary responder to crime and the system operates in support of the community. Achieving this vision requires fundamental change in the juvenile justice system's willingness to involve and share power with citizens and the willingness and capacity of communities to do so.

The emerging relationship between communities and justice systems is indeed a partnership, and it is shaped by several key ideas. First, as noted earlier, the community is the source of moral authority or influence, while government in the form of the juvenile court is the source of legal authority. Second, the community should be the center of decision making whenever possible, with juvenile justice agencies acting in an oversight capacity to uphold universal norms and broader system objectives. Third, the community must be the center of action, with the government in the role of facilitator. Fourth, the community is responsible for promoting its collective interest, while the government is the guardian of individual rights.

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From a restorative justice perspective, it can be said that the current relationship between juvenile justice and the community needs to be turned upside down. Ideally, the community should become the first line of defense in maintaining community standards of behavior, with the court and the system used as a measure of last resort. The purpose of the legal authority of the juvenile justice system is to ultimately affirm the central moral authority of communities and provide a mechanism for responding to failure to comply with restrictions and obligations the community imposes in response to crime. Yet, today, the juvenile justice response is the measure of first and last resort.

Courts ultimately rely upon authority and coercion to influence behavior, and in doing so they may model an authoritarian dependency on fear and power to get compliance. But, positive human behavior is shaped more by relationships than by fear. In a democratic society, moral authority is ultimately more effective than legal authority, and because it emerges from a sense of mutual commitment, it is a product of healthy communities. Legal authority that is not clearly grounded in the community's moral authority, as demonstrated by active community involvement, is hollow and ineffective.

### **COMMUNITIES AND ACCOUNTABILITY**

“Support without accountability leads to moral weakness. Accountability without support is a form of cruelty.” Harriet Jane Olson, ed, *The Book of Discipline of the United Methodist Church* 1996.

Restorative justice places great emphasis on the personal accountability of offenders for harm caused to victims and victimized communities. Answering the question, “who is responsible for repair?” (Zehr, 1990) however, also moves the discussion to consideration of the roles of community and professionals in ensuring accountability in sanctioning.

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*Offender* accountability/ responsibility has these components:

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

*Community* accountability/ responsibility has these components:

1. Attending to the wounds of the victim - both in the short term and the long term.

The responsibility to rally around the victim can take countless forms. Churches in a small town in Florida organized to reach out to the families of two college students who were murdered by high school students in the Florida town. Representatives from the Florida community traveled to the victim's hometown in Maryland to plant trees in memory of the murdered young men. They also provided housing for the family of the third victim who was severely beaten and was hospitalized in the Florida town. Victims of the Oklahoma City bombing who traveled to Denver, Colorado, to attend the trials were provided with extensive support by Denver churches and community volunteers. In Billings, Montana, Stars of David were hung in windows all across the city to show support for a Jewish family who had experienced hate crime vandalism.

2. Participating in a resolution to the incident which does not further harm any of those affected.
3. Affirming community expectations and norms for all members without severing bonds.

One member of a community justice circle group working with a 19 year old offender spoke of seeing the applicant in the community a couple of times since the last circle. He recalled one incident where they greeted one another and he expressed pleasure at that exchange. "The other time I saw you, but you didn't see me," the community member continued. He went on to describe the applicant on his bike, talking to someone in a car that was in the street holding up traffic. He looked at the applicant and said, "That tells me about you and whether your attitude is changing. That was not respectful." While working diligently to support and help this young man, the community is also clearly setting out standards of behavior for everyone in the community, not just the offender.

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In another instance, a middle-aged woman, shopping in an urban grocery store observed two female adolescents taking candy from the bulk candy bin. She stopped to speak to the girls in a respectful way, saying, "It's not okay to take candy without paying for it." The girls huffed away and disappeared down another aisle. The woman paused, thinking about the extent of her own responsibility. She concluded that she was not responsible for guarding the candy bin, but was definitely responsible for articulating the community expectation even if she could not enforce it by standing guard.

4. Identifying and addressing underlying community conditions which may have contributed to the behavior.

Twelve middle school students were involved in vandalizing an empty home in the community. During the "peacemaking circle" process, the students and their parents identified the lack of a place for students to hang out together as a contributing factor. Members of the community justice council worked with Community Education to develop additional teen activities in their summer program and are exploring the feasibility of a teen center in the community. Individual young people must be held accountable for their behavior. However, communities bear some responsibility for correcting problems that make youth crime a common occurrence.

Juvenile justice *system* accountability/ responsibility has these components:

1. Ensuring that there is a response to harmful behavior which does not increase risk to the community and the victim
2. Ensuring fairness in the response to harmful behavior
3. Facilitating victim and community involvement in response to youth crime
4. Providing resources and support to a constructive resolution to the crime
5. Sharing power with all affected parties

### **What Might the Community Role Look Like in Practice?**

There are multiple opportunities for the community to play a role in designing and implementing effective responses to crime and delinquency, ranging from policymaking to direct service with victims and offenders.

1. Role of the community in *determining* the terms of accountability - One responsibility of community in this approach is to participate in determining the terms of accountability, i.e. deciding on sanctions or dispositional requirements for the offender. When the

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community is in that role the government or state role is to back up the community with legal authority. The community exercises moral authority in denouncing the crime and determining the nature of obligations required of offenders in order to make amends. The state exercises legal authority to formalize those requirements. The state also plays a role of oversight of the community process to ensure fairness in that process. Some examples follow:

- Peacemaking or sentencing circles - Communities in several Canadian provinces and a few states in the U.S. use the peacemaking circle process to decide what the resolution to a criminal incident should be, including the sentence for the offender. The process includes circles of understanding for the victim and the offender and follow-up circles to monitor progress and celebrate success. The process is open to all community members. Criminal justice professionals operate in a partnership with the community.
- 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). Similar neighborhood justice bounds or being revitalized in other states as a response to youth crime (Bazemore & Umbriet, 1999).
- Community Response to Crime Program, 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.

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- Family Group Conferencing / Community Conferencing - involves the community of people most affected by the crime (family and friends of victim and family and friends of 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. Conferencing is used by police departments, schools, probation, neighborhood groups, and residential facilities.

These processes generally result in an agreement with the offender that specifies the offenders' 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. Ideally, each emphasizes a process of establishing a relationship of mutual responsibility - a process of human interaction. That is the critical nature of these efforts, and the power is in the process rather than the agreement itself. The meeting between offender and community members is one of the most meaningful forms of accountability - and it is a powerful process for allowing the community to affirm its norms. These processes give real meaning to the idea of answering to the community for your behavior, and they can simultaneously address the community's role as a victim, and its role as a collective responsible for the welfare of its individual members. When well executed, these approaches leave the community stronger after the justice intervention than it was before the crime happened (the most important outcome measure).

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

- Providing community service sites that allow offenders to repay the community through labor *valued by the community*; supervising completion of services work, providing affirmation to offenders for successful completion.

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- Providing work opportunities for offenders to earn money to pay restitution  
(Century Club, Deschutes County, Oregon)
  - Volunteer probation officers
  - Community mentors or sponsors
  - Victim participants in victim impact panels for offenders
  - Volunteer facilitators for victim offender meetings
  - Community support for treatment programs
  - Community involvement in self help or support groups for offenders
  - Provision of programs which build offender competencies (GED, vocational training)
3. Role of the community in *supporting victims*
- Neighbors Who Care, a church based victim assistance program providing service through volunteers
  - Volunteer victim advocates
  - Community involvement in self help or support groups for victims (Mothers Against Drunk Driving, Parents of Murdered Children)
  - Volunteer facilitators for victim offender meetings
  - Chaplaincy programs for victims
  - Healing circles for victims
  - Block club outreach to victims
4. Role of community in staying in *maintaining relationships with offenders* in custody.
- Prison and jail ministry programs
  - One to one friendship programs (AMICUS, Minneapolis, MN)

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- Volunteer consultants who offer special programs in prison (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 chapters or Toastmasters chapters in institutions partnered with community chapters

5. Role of community in *policy development*

- Advisory boards at every level (program advisory boards, county level community corrections advisory boards, statewide advisory boards for particular initiatives).  
It is important to have more than token community membership on these advisory boards.
- Input through public forums to get community perspective on existing and proposed approaches
- Input through surveys of community
- Development of prevention programs and social policy which addresses underlying causes of crime
- Participation in the political process to influence public policy and encourage responsible dialog

### **Conditions for Partnerships and the Roles of Community and Government**

For community/ justice system partnerships to work the parties must have trust. Each party needs to know they can rely on their partner - because their safety is at stake. All parties must feel respected in the partnership, and each must feel necessary. All participants must feel that juvenile justice tasks cannot be effectively accomplished without them -- because otherwise

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it's not worth the time and effort. All parties must feel a sense of responsibility, importance, ownership and commitment.

Ironically, because formal government processes have gradually taken over so much authority and power, the system has a *leadership* responsibility in moving from the current approach to one in which the community becomes a full partner. The juvenile justice system needs:

- To assist in developing the transformed community role through information, education and technical assistance.
- To link communities with others who have common interests and goals to share experience and learning.
- To lead a process of clarifying the systemic vision and goals for the juvenile justice process.
- To monitor community activities to ensure that values of the state and nation are honored (fairness, appropriate due process, etc.).
- To provide support and resources to community processes.
- To facilitate the development of a community infrastructure to sustain sufficient community processes of justice and healing.

Though courts are not particularly effective at problem solving, they *are* effective at convening affected parties, monitoring compliance with community-designed solutions, and ensuring fair treatment of individuals. Partnerships between communities, judicial, law enforcement, and social service agencies can combine the complementary strengths of community groups and of professional systems for more comprehensive and sustainable solutions. Processes need not only to be community-based, they also need to be founded on values of respect for universal human dignity and the importance of relationships. In general, although communities manage individual behavior more effectively than governments do, communities need government support and resources and the perspective of an oversight mechanism that is separate from the community.

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Interventions chosen by the juvenile justice system can contribute to building healthy communities. Interventions which strengthen community are those which:

- Create new positive relationships or strengthen existing relationships  
As a result of an assault by another juvenile, an adolescent boy moved to distant city to live with his father. Following a victim-offender mediation regarding this case, the mother of the offender contacted the mother of the victim, expressing concern for her loneliness since her son moved away. The mother of the offender suggested that they do something together. They discovered a mutual interest in theater and began to attend plays together.

In a peacemaking circle process with a juvenile offender, the Community Justice Committee discovered that one of the problems in the family was constant conflict between the juvenile and his brother. A minister who is a member of the circle spent time with the brother and encouraged him to attend the next circle, which he did. During that circle it became apparent that both brothers were very interested in car racing. A community member offered both brothers a pass to the local racetrack in exchange for some help from them. A new relationship was created with this community member and the relationships between the brothers strengthened by emphasizing common ground. The brother voluntarily attended the next circle for the offender. In both of these cases, the interventions of the juvenile justice system resulted in new relationships that continue beyond the time of the intervention, thus strengthening the community fabric.

- Increase community skills in problem solving or conflict resolution

In a suburban community the victim, offender, offender's mother and neighborhood residents gathered in response to a vandalism of a neighborhood tree house in which the offender's actions had caused extensive conflict in the community. While the police officer was working to find a suitable place to meet, a neighborhood resident, who had participated in the process in another case, suggested that they could resolve the case themselves without the police, and they did. The agreement addressed both the individual responsibility of the offender and the responsibility of the neighborhood to be more connected and to know one another better. The agreement was accepted by the police. Extensive use of family group conferencing by the police department as the response to juvenile crime had resulted in an increase in community skills in problem solving and conflict resolution.

- Increase the community sense of capacity and efficacy in addressing problems  
- the self-confidence of the community

In spite of difficulties with the offender, participants in a peacemaking circle project in a diverse inner city community continue to express confidence that through this

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process the community will be strengthened. As one participant put it, “What’s most important here is the community coming together. The details of how we do it are not as important as the community doing something.” Use of the circle process as a response to crime has in many instances increased the community’s sense of capacity to address very difficult community problems.

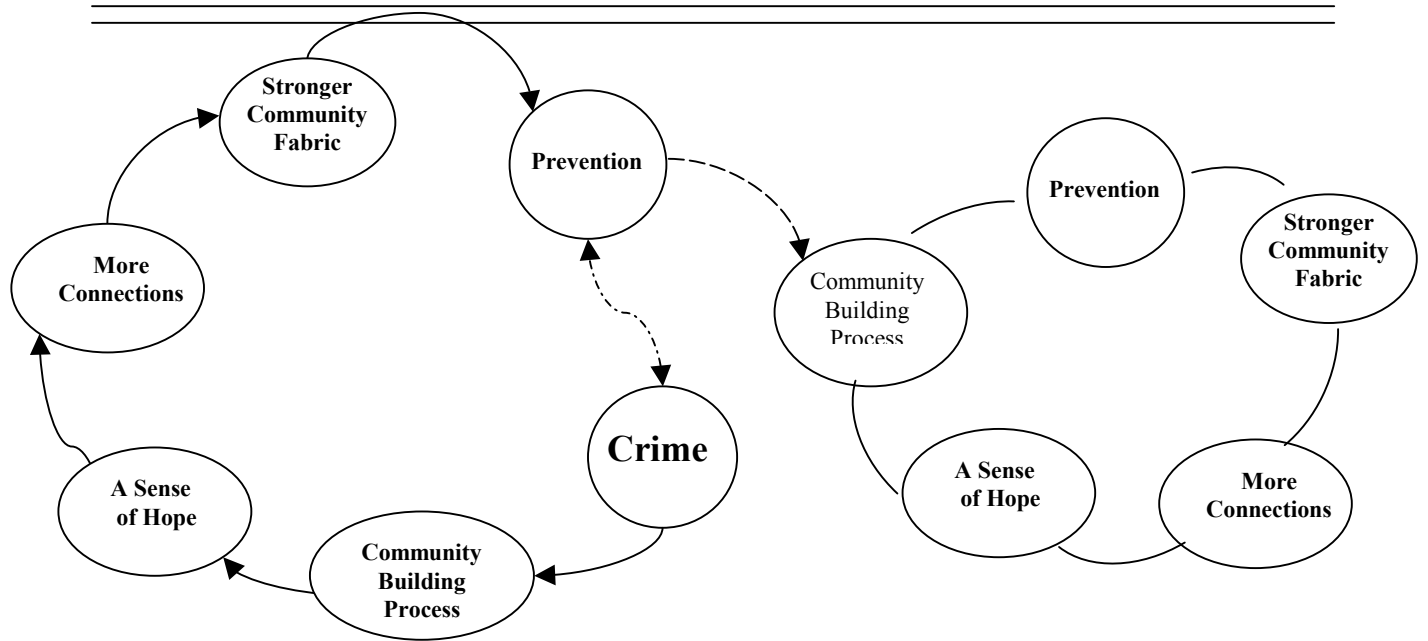
- Increase individual awareness of and commitment to the common good

After involvement in restorative community service, many juvenile offenders continue to volunteer their time because they become aware of the needs of others in their community. One youth diversion program requires that the juvenile and his/ her family do the community service. As a result, families of offenders have become involved in soup kitchens and other services for people in need. Restorative community service can frequently increase the desire to act on the behalf of others.

- Create informal support systems or safety nets for victims or offenders

Several volunteer community members of a “Community Response to Crime” panel gave their home phone numbers to a juvenile, suggesting that he call them if he has a problem. An eighty year old victim of an attempted burglary, disappointed that the offender re-offended after promising never to do it again, met with him, and asked insistently over and over, “How am I going to know you won’t do this again?” She calls him regularly to make sure he stays out of trouble. A victim of juvenile vandalism participated in the circle process. Shortly after the case was resolved, he was diagnosed with terminal cancer. A circle member who had worked closely with him throughout the case visited him in the hospital, taking him homemade soup and flowers. Another circle member played the violin at his funeral. As a result of the interventions used in these cases informal support systems were created which did not depend upon formal system services.

Ultimately, if the juvenile justice system intervenes with processes that build community, the cycle of crime, fear, and distrust discussed earlier can be transformed into a new self-perpetuating cycle of *hope* as Figure 2 suggests.



“When a group of individuals can face their fears and rationalizations and become intimately interrelated and mutually responsible, an awareness of community emerges.” Cloudhand, P 105.

When the juvenile justice system responds to crime with processes that build community, then more connections are created in the community. Bonds and a sense of connection to others reduce fear and allow a sense of hope to flourish. Connections among community members and a sense of hope result in a stronger community fabric and increased capacity to prevent crime. This cycle moves toward stronger, healthier communities.

A key to successful system community partnership is a new acknowledgment by juvenile justice professionals that enhancing community strength is the primary measure of the effectiveness of intervention, and that it is those interventions grounded in and directed by citizens that are likely to strengthen the community. Rather, the critical questions should be: Are citizens engaged in the process? Hence, the bottom line for the system can not be how many offenders were processed, punished or treated, should be: is the community stronger after the juvenile justice intervention than it was before the crime happened?

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A key role for juvenile justice professionals in restorative justice is to assist in building the community's capacity to solve its own problems and to manage its own members. Examples of developing such an 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**

- ◆ 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

**Principles & Guidelines for Educating and Involving the Community**

The following principles should guide efforts to gain greater commitment to restorative justice values and practices in the community.

- Special outreach efforts to victims groups are important because victims have historically been left out of the criminal justice process. Victims groups have had to fight the system for nearly every gain they have achieved. Consequently, many are skeptical that an initiative of an agency serving offenders can genuinely have victim interests at its center. An unwavering commitment to involve victims despite obstacles which may be encountered is critical to insure that the outcomes are genuinely restorative.

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- Restorative justice should not be mandated in a top-down authoritarian process.
  - The work of operationalizing the principles of restorative justice must be done at the local level and must involve all stakeholders.
  - The appropriate role of state, national or regional leadership is to articulate the vision, disseminate information, and provide support and technical assistance to jurisdictions attempting to evolve to a more restorative approach. State and national agencies can also implement pilot programs to demonstrate application of the principles. State and national governments are responsible for monitoring outcomes to insure fairness, equity and effectiveness of processes designed at the local level.
  - The process of implementing restorative approaches must model the principles themselves, e.g. victims must have a voice, the community must be involved.
  - A clear understanding by practitioners and stakeholders, including the community, of the philosophical underpinnings of the approach is essential to ensure that changes are substantive and not merely cosmetic. Program implementation without an explicit understanding of underlying values often leads to undesirable results.
  - Every community member and every professional has opportunities to contribute to a restorative vision in the community even without major system change.
  - The community contains natural allies in fields outside of criminal justice who can bring depth and credibility to the advocacy of a restorative approach.
  - Energy is most effectively expended working with those who are interested in trying restorative approaches. Seeds sown in fertile soil produce the most impressive results which, by example, will convince skeptics more readily than direct persuasion.
  - There is no single road map or blueprint for building a restorative system.

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- A feedback loop between stakeholders and leadership is very important.
  - We do not have answers to all the questions raised by the principles of restorative justice. The process of searching for answers should involve dialog with all who have an interest in the question. We must be prepared to make mistakes.

Although it may be obvious by now, the first step in any effort to engage the community must be to determine what the community wants. While the BARJ model assumes that all communities have basic needs and expectations for safety, accountability and competency development it is important for citizens to articulate these and other specific concerns. It is also important to determine their willingness to participate and their context level in doing so. Essentially, defining what citizens want must be understood as a continuing work in progress. There is a continual process of 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, resources are not available to complete a comprehensive community planning process. What is possible is to gather a group of interested persons around a particular event or issue, engage them in defining what they 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.

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## Finding Your Natural Allies in The Community

Talk to those interested in violence prevention, underlying causes of crime, social justice, building stronger neighborhoods, regaining a sense of community, children's issues. Among those people you are likely to find some who really resonate to restorative justice values and see great potential for addressing some of their own interests through that framework. Listen to the interests of others. Ask them how restorative justice fits with their interests. Learn to use the language that makes connections for the audience. When speaking to educators talk about the connections between restorative justice and school discipline problems. When talking to law enforcement talk about the natural fit between community based policing and restorative justice. When speaking to business people talk about restorative justice in the language of total quality management or in the language of effective government and fiscal issues. Identify the common ground for others - don't assume it is obvious to them. Explain why this matters to them based on their own interests. Engage people in a discussion of their own worries, fears and concerns and identify, where possible, how a restorative approach provides a potential solution to that problem.

Effective engagement of community begins with offering:

- \* honesty about your purpose and agenda
- \* clarity about what you want from the community
- \* respect for the community and its capacity
- \* willingness to hear what the community wants
- \* flexibility
- \* responsiveness
- \* information, knowledge

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Basic community organizing strategies also provide fundamental guidelines for involving community members and groups in the justice process. Some basic guidelines for engaging community groups and citizens in the justice progress follow.

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### Avoiding Becoming Identified with a Particular Political Label:

Find community allies on both ends of the political spectrum. Some conservative Christian groups actively work for restorative justice. Restorative justice is consistent with fiscal conservatism, the call for a reduced role for government and an emphasis on personal accountability. On the other hand restorative justice's reduced emphasis on physical punishment and call for community accountability are consistent with traditional liberal values. Seek out respected leaders from divergent points of view as key supporters of restorative justice.

### Listening to those who disagree:

The entire community is a stakeholder in the issue of community safety so everyone deserves to be respectfully heard in the process of deciding the direction of the system. Listen carefully so that you can understand the objections. Develop an explanation responding to the objection to use when speaking to other groups. Acknowledge the need to have dialog and explore further on issues for which you don't have answers. Be prepared to learn from the objections raised. This is a model in formation and should be responsive to valid objections. Probe beneath surface objections to identify underlying issues which may be more readily resolved than is initially apparent. For example, what may appear to be a desire for retribution is often actually a concern for public safety. A restorative approach cannot deliver retribution but can potentially deliver at least as much public safety as the current system.

### Addressing victims first:

If those raising objections are victims groups or advocates, then do all of the above over and over and over again. Be willing to engage in dialog with them on their turf repeatedly. Offer to come to hear their concerns. Articulate their concerns in your own words to be sure you understand. Ask a sympathetic victim supporter to help you understand the issues being raised.

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Seek victim input for any proposed change. Learn about victims' issues and the experience of victimization. Listen to victim stories. Use victim stories in your public speaking. In written materials, overheads, etc. list items related to victims before those related to offenders.

Balancing focus with flexibility:

It is critical to be clear and consistent about the values and vision but there are multiple ways to achieve the vision. Be prepared to modify your approach if it is not working and other more promising avenues appear. Success may be more dependent on being responsive to opportunity than on detailed long range action plans.

Monitoring your own assumptions and stereotypes:

Promoting a new paradigm requires breaking out of your own paradigms in many ways. Unexpected sources of support and opportunities may be missed if you don't become aware of your own assumptions about others and consciously put those aside.

Partnering with other community based efforts:

Restorative justice fits naturally with other community based efforts. Asset building for youth, community capacity building, citizenship development, community empowerment - all of these endeavors share fundamental values with restorative justice. Linking to other efforts has a synergistic effect that increases the impact of each piece.

**Community Involvement and Cultural Diversity:**

"Unnoticed, unseen, at the margins, on the periphery of many cultures, people are building relationships with one another in ways that are so empowering as to defy explanation." Cloudhand, P 24

Engaging communities requires sensitivity to cultural differences and a willingness to allow communities to shape processes to fit cultural norms as long as those norms do not violate

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larger societal values. Development of community processes should be guided by the following questions:

- \* What fits for this community?
- \* Does a particular model feel comfortable for this community?
- \* How would this community try to achieve the same ends in their own way?

Allowing cultural shaping of restorative processes in the community communicates respect for the cultural values of that community, engages real community ownership, accesses the power of informal social control mechanisms, reinforces cultural norms and identity, and allows the community to take responsibility in the way which is most understandable to the community.

Many communities involve more than one cultural group. If the community is multicultural, it becomes important to create processes that acknowledge and respect all the cultural perspectives of a particular community.

1. Share information across cultures about cultural norms and expectations.
2. Determine shared norms that require no further dialog.
3. Develop processes that emphasize the shared norms and values.
4. Through dialog identify elements of each culture, which are acceptable to the other cultures to be incorporated into the process.

Some cultural norms are in direct conflict with values and expectations of American society. In those instances working with the community requires extensive respectful dialog to try to find common ground. In St. Paul, Minnesota, a judge was very interested in involving the Hmong community in addressing issues coming before the court. In the early 90's he established a relationship with a young Hmong attorney. The judge attended community meetings, met community leaders and learned about Hmong culture. For several years the judge and the

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Hmong attorney struggled to find a good way to involve the community. In the late 90's they became familiar with the peacemaking circle process and became very excited about that process as a vehicle for a community/court relationship.

The judge was invited to meet with the leaders of the eighteen clans of Hmong people to discuss the possibility of a circle partnership between the Hmong community and the court. Because women do not play leadership roles in public processes in the Hmong tradition, there were only men at this meeting. The judge treated the leaders with respect, but also expressed his concern about the lack of women's voices and indicated that for him it would be important to have women present at future meetings. A subsequent circle gathering was scheduled to introduce the circle process to the broader Hmong community. Women were present at that meeting and because a talking piece was used, each woman had a chance to speak and be heard with respect.

The dominant culture and the Hmong culture both had to stretch to connect in a respectful way. The Hmong tradition is hierarchical, giving power, authority and respect to older men. The dominant culture holds dear egalitarian ideals which value the contributions, ideas and thoughts of young people and women as much as older men. In the circle the Hmong leaders had to be patient listening to ideas which did not match their own and others had to be patient listening to the Hmong elders blame their problems on the failure of people to follow the old ways.

The areas of conflict between traditional Hmong culture and American standards include marriage of very young girls, responses to domestic violence and use of physical discipline of children. These are issues charged with emotion and tied to deeply held beliefs. It would be neither moral nor legal in the United States to allow the community to make decisions which would violate the rights of women and children as defined by our laws. On the other hand the

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current court response is destructive to the fabric of the Hmong community which has many assets for its members. Finding common ground will be very difficult. Respectful listening and stretching to understand the other culture's needs and fears can create the atmosphere for successful dialog. When people feel genuinely heard and truly respected, they can more easily move in their position or find some middle ground.

Respect for individual cultural differences is held in balance with respect for foundational values of the society as a whole. In the dialog to explore gaps in those values every voice must be given space to be heard. Widely different perspectives may not come to agreement about the issue but can come to a ground of mutual respect. In the end all communities are accountable to those overarching values of individual liberty and human rights captured in the laws of the state and nation.

#### **CASE STUDY: SYSTEM INITIATED PARTNERSHIP WITH THE COMMUNITY**

The Minnesota Department of Corrections Restorative Justice Initiative was interested in the possibility of piloting the peacemaking circle process in an urban community of color. The Initiative approached an African American woman, who had attended a peacemaking circle training and had worked with offenders and with victims, to ask her if she felt this process would work in her community. When she answered with an emphatic “Yes,” the Initiative requested her assistance in identifying key leaders in the community to invite to an information meeting about the process. About twenty leaders attended an information session with Judge Barry Stuart, who pioneered peacemaking circles in the Yukon, Canada. The enthusiasm and interest of that meeting led to a subsequent meeting to pursue interest in developing the process for the African American community in North Minneapolis and to begin planning a four day training. At this second meeting participants decided to focus on juvenile delinquency, reflecting the community’s concern about what is happening with their kids.

In a parallel process to the community meetings, meetings were held with leaders in prosecution, courts and corrections to build support for the process in the professional system. Written materials were provided. Justice system participants were recruited to join the community members in the training.

In preparation for the training, written materials were distributed and a videotape circulated among participants. All participants were invited to a pre-training meeting to

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identify their expectations and hopes for the training and to identify key questions to be addressed in the training. About twenty people participated in the training including community residents, students, social service providers, corrections, prosecution, and victim's services.

The Minnesota Department of Corrections Restorative Justice Initiative funded the training, organized all the logistics and provided all the supporting materials. Leadership was provided through the end of training. The last task of the training was to identify next steps. At that point key community people took over responsibility for organizing and leading the project.

The role of the MN DOC Restorative Justice Initiative shifted to one of support and technical assistance. Professional responsibilities in this role includes: attending meetings, but not leading, answering questions, but not directing decisions, accessing further technical information and sharing experiences from similar projects. The role of local juvenile justice professionals is to participate and support the process without taking over.

A core group of people (10 - 15) who had attended the training met every other week for about nine months. This informal group is led by community members, but includes juvenile justice professionals as active members. The group, a mixture of African Americans and European Americans, immediately identified a need for the participation of defense attorneys and recruited two young public defenders into the group. They educated themselves about the juvenile justice system and about social services available in the neighborhood, developed a protocol for screening cases, developed a funding proposal for the project, determined criteria for appropriate cases and met with key judges and prosecuting attorneys to explain the project.

At times the group felt impatient with itself that it was taking so long to get to actual cases. However, over time it became clear that the time working together was very valuable for building relationships, particularly between community members and juvenile justice professionals. Distrust of justice professionals runs deep in the African American community. Taking time to get to know one another and experience each other as human beings has allowed trust to be built in a natural way.

Progress was also limited by a lack of funding. All of the work of the group has been volunteer. Finding appropriate cases has become the major barrier because it is a labor intensive process to screen the cases and make contacts. A student intern has been helpful for short term support while funding is sought.

The group was so eager to do a case that they accepted a case about which there were many reservations. After an interview with several circle members, the juvenile was released from detention to the circle process and put on electronic monitoring. He cut the bracelet and absconded within days of his release from detention. The case returned to the court process with the understanding that if he is ready to be responsible in the future, the circle is still willing to work with him. The second case involved two juveniles arrested for attempted

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burglary. That case has proceeded with the involvement of both juveniles, their families, the victim and a victim supporter along with the circle members.

The group planned to use circles as a way of deciding dispositions for property offenses by juveniles. Shortly after taking their first two cases, the circle group was asked if they would like to work with a case involving armed robbery with a gun in which the disposition had already been determined. The group seized the opportunity to try the process with a more serious crime. Though the disposition was already determined and the juvenile was in a juvenile corrections facility, it was felt that there was a need for healing and a need to work out a plan for the juvenile's return to the community upon release.

The case involved an adult male European American victim who was severely traumatized because the gun had been held to his head and he believed he would be killed. The victim and his family felt fearful and isolated and planned to move out of the neighborhood. The juvenile's family felt isolated, confused with his behavior and fearful for his future. Separate healing circles were held for the victim and the juvenile. Then a circle was held bringing the victim and his support system and the juvenile and his family together with members of the circle group. The victim described the trauma of the crime and its impact on his life. The juvenile and his family expressed their regret and concern for the victim. Community members expressed support for both families and a hope that the community can come together to strengthen the neighborhood.

About twenty people participated in the circle. After everyone had a chance to speak, the victim asked to speak again. He looked across the circle of chairs at the juvenile and said, "When you get out of Red Wing, I'd like to take you out to lunch." Shortly later when a break was called in the process, the juvenile approached the victim's son of the same age with an outstretched hand. The son rose from his chair and hugged the juvenile. The juvenile then approached the victim and his wife, who also hugged him.

This case has elements associated with white flight from inner city neighborhoods - African American juvenile offender, white victim, gun to the head, isolation and fear. The circle process was able to break the cycle of isolation and fear. It gave participants a sense of hope about their future as a community beyond this individual case.

The dialog of the circle also surfaced important perspectives not often heard. The father and older brother of the juvenile were emphatic in their denunciation of guns. The older brother of the juvenile spoke in eloquent terms about the struggle of growing up as a young black male. Giving voice to these perspectives and raising community and system awareness is an important outcome of the circle process.

Developing the use of the circle process for juveniles in North Minneapolis was the choice of a small group of people who are active in their community. They are reaching out to educate others and invite them into the process. Anyone can become a decisionmaker by joining the process.

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Every time citizens participate in community based processes like circles, neighborhood panels or family group conferencing, they communicate their expectations, their standards for behavior. Each incident involves only a small portion of the community in this discussion, but the cumulative effect of using these processes on a regular basis is widespread citizen involvement in decisions that require thinking about values and standards. These processes require citizens to struggle with the questions: How should we treat one another? How should we work through conflict?

### **Dialog in the Community**

“When a community can draw on and trust its own inner resources to discover the validity of a new paradigm, the community is liberated from bondage to old, embedded, fixated ways of being in the world. The community is then able to embrace the creativity of chaos, the possibilities of dreams. People are empowered to imagine new ways of being, to problem-solve on a deep level. In this way a community can truly take hold of its future - and its past. Together, the gathered people can soar with their dreams, weep over their losses, and be free to gather together beyond differences of opinion.” Cloudhand., p 60.

Sometimes family or community involvement in an individual case leads to a wider community process to discuss community values. In an upper middle class suburb of St. Paul, an adolescent girl was charged with marijuana possession. Initially, her mother could not believe her daughter could be involved with drugs. In the family group conferencing process, which this city uses for all diversion cases, the mother was confronted with the reality of her daughter's use of drugs. The mother became concerned about the role of the broader community context in her daughter's behavior. She suggested to the police department that there was a need for a community wide dialog on shared values and community standards to communicate clear boundaries to the young people of the community. The police department worked with this mother to organize a process called Focus on Community United by Shared Values, whose aims are to establish a committed relationship between the youth and adults of the city, to focus on developing the character and capabilities of all people, young and old alike, and to be responsible members of the community.

#### Engaging individual participation

People are more likely to participate if:

- \* They are asked personally.
- \* They see some personal benefit or connection.
- \* They will have a voice in decisions
- \* Food is served.
- \* Gatherings are at a convenient time and place.
- \* There is positive energy in the endeavor.

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Harmony among people in a community provides greater safety than weapons, walls or security systems.

Harmony depends upon clear communication of expectations people have of one another, use of constructive conflict resolution methods when disagreements arise, a shared commitment to the well-being of everyone, and a willingness to act on behalf of the whole community, not just self.

The shared vision and commitment to the common good, which are the basis of safe community, can only emerge from extensive and continuous dialog about values, standards, and acceptable forms of intervention when standards are violated. All parts of the community must be a part of the dialog to ensure that the resulting norms represent all perspectives and cultures.

Communities have developed many ways of engaging citizens in dialog about shared values and community activities to promote safety and harmony.

- \* Community forums with speaker(s) and interactive discussion and exercises which encourage reflection by the community on their own knowledge and experience.
- \* Study circle format (Oklahoma)
- \* SEARCH Institute survey as a starting point for examining how the youth of the community are doing and developing strategies for increasing assets
- \* Go to existing groups of all kinds (youth, senior, business, church, etc.) with a set of questions to explore community concerns and perceptions regarding shared values related to safety and

**Tips for productive dialog:**

1. The topic or question is framed in positive terms with a solution orientation, looking for a good path forward.
2. All voices are welcomed, honored and respected.
3. Dialog structure respects the time needed for all to speak (allow enough time and ensure individual speakers respect the need for others to speak.)
4. The facilitator sets a tone of respect, safety and potential for good outcomes.
5. The physical set up creates a sense of equality and emphasizes connections.
6. Emotion is respected and allowed expression.
7. Create openings and closings which honor everyone present and emphasize shared goals for resolution

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harmony and mutual responsibility to those values. Share responses from earlier groups with succeeding groups to determine common ground.

- \* Convene a meeting of stakeholders to address a particular problem which generates energy in a neighborhood or organization. Raise questions regarding shared values related to safety and harmony and mutual responsibility to those values which might lie underneath the problem at hand.
- \* Intergenerational Dialog
- \* Work with existing groups such as League of Women Voters who have experience in exploring issues of civic life to develop a process for public dialog.

### **CASE STUDY: COMMUNITY INITIATED PARTNERSHIP WITH THE SYSTEM**

A single man living in an older, middle class suburban neighborhood returned home from a birthday celebration to find his home in a shambles - food stuffs from the refrigerator on the floor and walls, every mirror and light fixture broken, a stereo stolen - a mess. When informed that the perpetrators were neighborhood kids, he was alarmed to realize he didn't know them and resolved to be involved in working with them. He was initially rebuffed by the prosecutor's office who informed him that they were interested in "consistency, not creativity." Subsequently, the case was moved to the Community Corrections Department, who referred it to the victim offender meeting program and the victim got an opportunity to meet with and then work with the juveniles.

As a result of his experience he became very interested in the broad scope of restorative justice and decided that his community needed to be involved.

He began dialog with key leaders in the schools, churches, community corrections, city government, the judiciary and police. He convened those interested and began the process of education and reflection on restorative justice, a vision for their community and possible steps toward that vision. Because of his life long interest in and commitment to young people, students were recruited to participate and have been an integral component of the group.

Members of the group arranged speaking engagements at various churches to raise awareness in the larger community. Volunteers were recruited to become trained in family group conferencing. A small grant was obtained to support efforts at applying restorative justice in the schools.

The group continually assesses its membership and seeks to add missing voices or perspectives. The group often opens meetings with discussion of an object brought by one of the members as a metaphor for justice. This reflective activity has been useful for keeping the group

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connected to its underlying values and purpose.

The formation of the group was initiated by a citizen. The Community Corrections Department has provided staff support for some of the activities because of its mission to involve community and develop restorative approaches.

About six months after the group was organized the Community Corrections Department approached the group to explore their interest in trying the peacemaking circle process for a case from their community. The Council said, “yes.” The Community Corrections Department facilitated training and technical assistance to the Council as they proceeded with the case. Again students participated in all stages of the process, including students who have been in trouble.

In the planning stage for a second case handled by the Council, involving several juveniles and multiple victims, conflict arose among various participants of the Council. The relationship between juvenile justice system professionals and other community members is not an easy one. A healing circle was held at the completion of that case to work through the conflict and try to learn from one another.

Because of the work of the Council, the local school district has created a staff position to develop wider use of restorative planning for behavior problems in the schools. The police department has become more responsive to the use of restorative processes as a result of the Council work.

Council meetings are open to all interested persons. Decisions are made by consensus of those in attendance. The Council is still working out the boundaries of its own role in the life of the community. It’s a work in progress being shaped by a respectful partnership between the community and the justice system.

### **Conclusion: Passion, Patience and Persistence**

*“A new philosophy, a way of life, is not given for nothing. It has to be paid for dearly and is only acquired with much patience and great effort.” Dostoevsky*

*“In every one of us there is the desire to connect to others in a good way.” Judge Barry Stuart.*

*“Face to face one tries to find one’s better nature - because one can see the soul” Andre Codrescu.*

Lessons learned regarding linking the community with the criminal justice system.

1. Shared vision is critical. It is important to take time to explore and discuss the shared vision and the values that support that vision. Great freedom of action and local autonomy can be allowed if people are united by a shared vision and values.

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2. Passion and spirit drive the most fundamental change. Passion and spirit need to be fed and encouraged. This is work of the heart and soul, not just of the head.
  3. Open, inclusive processes that remain open to critics will produce the most responsive and resilient partnerships. For example, the Community Justice Committee meetings in many communities are open to anyone who wishes to attend and all those who attend participate in decisions.
  4. Process is critical at all levels. The values of the shared vision must be reflected in every process, internal organizational processes, partnership processes, outreach efforts, and decisionmaking processes.
  5. Procedures for raising difficult issues and working toward resolution must be clear to all participants. Conflict will arise. There is a need for a way to work on the conflict and the relationships of participants.
  6. Community - justice system partnerships are enriched by the presence of people who have been through the criminal justice system and have turned their lives around.
  7. Each community must find its own path. Each community must struggle with basic questions of values and the community's future. Communities can learn from one another, but cannot answer those questions for one another.
  8. "Change occurs through gentle pressure applied unrelentingly." (participant at VOMA conference)
  9. When one door is closed, try another. Go where the energy is.
  10. Storytelling is one of the most powerful ways to communicate your message. Change, both individual and societal, is driven more by stories than by data. Storytelling is fundamental for healthy social relationships. To feel connected and respected we need to

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- tell our own stories and have others listen. For others to feel respected and connected to us, they need to tell their stories and have us listen. Listening to someone's story is a way of empowering them, of validating their intrinsic worth as a human being. *"The story is the best way of organizing information. It is true for all cultures I know."* Tom Angelo
11. Shared leadership and shared decisionmaking are awkward and uncomfortable. It's a messy business. Linking the criminal justice system and the community is very difficult work. It's like a couple learning a new dance and stepping on one another's toes. Occasionally there is a need to step back, assess how it's going and take a deep breath and then try again.
  12. It is very important to proceed **through elicitive** process, in which local community knowledge and wisdom is tapped and used as a foundation for new processes and approaches.
  13. Move forward one step at a time. Stay flexible, responsive. If you map out a definitive path it is likely that you have imposed an agenda on others.
  14. Healthy linkages between the community and the criminal justice system benefit from spending some time together that is not task focused.
  15. Be prepared to make mistakes.
  16. Watch for, acknowledge and celebrate secondary successes and impact.

The restorative justice effort engages people in a discussion of shared values and vision and then provides ways for individual community members to experience the human dimension of those values and vision through direct participation in the lives of others. Direct participation

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moves commitment from the head to the heart and fuels the engine of social change on a much broader level.

Restorative justice is creating solutions to community problems based, not on services but rather, on connections among the community members and family - the informal support systems of community. Such solutions are stronger, deeper and more lasting than services. They also increase the capacity of the community to handle new problems.

Restorative justice is providing concrete answers to the question, “What can citizens do, individually and collectively to help heal the wounds of crime on the victim, the community and the offender?” United by a shared vision of a community based on harmony and self-healing, individual community members become empowered to take actions on a daily basis to change the quality of community life.

Applications of restorative justice principles are being developed in schools, neighborhoods, social services, police, courts, corrections and prisons. The fundamental values of restorative justice - 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 - apply any place humans gather. These values can be applied in thousands of different ways depending upon individual circumstances. Movement toward the greater use of these values can be initiated by anyone who has the passion to make a difference and the willingness to first apply these principles in his/her own work.

Democracy and caring are the foundations for building a society in which safety is a product of harmony rather than hardware. Restorative justice principles provide a framework for creating processes that increase the opportunities to express and experience democracy and

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caring. Individuals, communities and professional systems across the continent are finding their own unique pathways toward that vision.

Engaging communities is not a linear, directed or predictable process. This change process is chaotic, has its own energy and in most places finds its own path, if we don't try to force it into a preconceived path or impose a preconceived order. This kind of change requires space, permission to try new ideas, openness, ongoing dialog with others who are trying new things, and permission to re-examine and change original plans.

“We do not need to know the answers ahead of time. The answers will unfold according to our needs if we dare to dream again, to let our creativity fly, to dance the unknown.” Cloudhand, p 127

Good luck in your journey with your community.

*“We shall not cease from exploration  
And the end of all our exploring  
Will be to arrive at where we started  
And know the place for the first time.”*  
T. S. Elliot, Four Quartets



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## **Endnotes**

1. Repairing the relationship between the victim and offender does not necessarily mean creating a friendly or positive relationship between them. It means restoring an appropriate power balance between them.
2. Pranis, K and Bussler, D. (1998). "Achieving Social Control: Beyond Paying!" Monograph, Minnesota Dept. of Corrections.

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## Appendix A

### Possible Steps for Involving Communities in the Response to Juvenile Crime:

1. Gather information about restorative justice and possible models in community.
2. Educate yourself about the community you will be or are working with.
3. Identify credible leaders in the community or neighborhood, attend community gatherings, read local papers, ask local residents about issues and leaders.
4. Educate yourself about victim services in the community; establish contact with those services.
5. Clarify your own goals and values in approaching the community. (What are you trying to achieve? What is important to you about what you are doing and how you do it?)
6. Assess potential support in the criminal justice system and educate key leaders about restorative justice.
7. Working with community leaders plan informational sessions to explore community interest. Invite participation by victims' representatives.
8. At each session recruit volunteers who would like to be involved in creating a new approach in the community based on restorative values.
9. Form a task force or steering committee including community members, key system representatives and victim representatives to begin exploring options and creating an approach tailored to that community. Take time to identify underlying values of the group and discuss the shared values that will guide the community based process. Shared values will become the foundation for working together from very different perspectives.
10. Continue sharing information with the community and gathering community input, especially from community subgroups who are not usually involved in decision making.
11. Recruit additional community members to participate in the process, making sure all key stakeholders are represented (victims, offenders, communities of color, young people, elderly, low income residents, churches or other faith organizations)
12. Provide basic training on justice, restorative justice, conflict resolution, community building.
13. Develop a plan for implementation of process(es) chosen or developed through the participatory task force activities.
14. Provide training in the process(es) for both criminal justice system staff and community members.
15. Develop referral system and protocols, etc.
16. Clarify responsibilities for all parties.
17. Pilot several cases.
18. Refine procedures.
19. Share stories with the community.
20. Establish steps for working out conflict between the criminal justice system and the community.

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## APPENDIX B

### **Common Sense in the Community: One Person's Experience With Restorative Justice By Kay Pranis**

The knowledge we need for doing justice in a different way exists in the community. Ordinary citizens already possess the basic understandings necessary for a fundamentally different approach to resolving the harm of crime.

In my experience posing the key questions about community safety from a capacity orientation elicits responses from community which could be the foundation of a community based, restorative approach to crime. I have used a two step process in a wide variety of community and professional groups to explore the group's perceptions on these key questions.

The criminal justice system is used to keep human behavior within certain bounds so that we can live safely with one another. When we consider the hundreds of choices made by each person each day, it is remarkable how much of the time we comply with laws, rules and regulations. To an amazing degree we do follow laws and rules.

When I ask groups, "What are the forces shaping our behavior which cause us to follow the rules and obey the laws?" they typically generate a list of ten to fifteen items. A sample list follows:

- \* Values
- \* Norms of the community
- \* Fear of legal consequences
- \* Fear of social disapproval
- \* Sense of involvement and belonging
- \* Internal controls
- \* Desire to avoid embarrassment
- \* Gender roles and expectations (socialization)
- \* Feeling of inclusion
- \* Education
- \* Laws and policies or regulations
- \* Peer standards and expectations
- \* Personal capacities
- \* Culture
- \* Socioeconomic needs

When I asked the group which of these forces they think are the most powerful in shaping behavior, nearly every group identifies two major forces: 1) values or morals (an internal force - how we see ourselves); and 2) a sense of belonging and the associated fear of losing those relationships (an external force - how others see us).

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When asked which of the forces on the list is used in our attempt to shape behavior through the criminal justice process, groups conclude that the system relies almost exclusively on “fear of legal consequences” to shape behavior. It is important to note that this is only one of numerous forces shaping behavior and it is not perceived to be one of the most powerful forces. Trying to manage behavior primarily through the use of fear of legal consequences is like trying to move something heavy with the wrong end of a lever. You exert tremendous amounts of force, but see very little movement at the other end. The public clearly does not see legal threats as the most effective tool to get the behavior we want from people.

In a discussion about where these other forces operate, where they derive their power, it is noted that most of those forces, particularly the most powerful ones, are integral to family and community relationships and function in those contexts. If the response to crime is to tap into the power of those forces, it must operate in the context of family and community relationships.

After exploring the public’s perceptions about behavior motivation, I ask the group to imagine a process or processes in the community to resolve conflict and harm. They are asked to identify what characteristics they would want the process to have. What would they want to be able to say about the process or processes? The lists generated by dozens of different groups have been remarkably similar, regardless of training or background of the participants. A typical list identifies the following criteria as important for these processes.

An effective community process to resolve conflict and harm should:

- \* Be egalitarian - everyone has an equal voice
- \* Involve all interested parties - the community, the victim, the offender and the system
- \* Be safe for participants both physically and emotionally
- \* Be clear and understandable
- \* Produce changes in behavior
- \* Promote healing
- \* Include monitoring of agreement and evaluation of outcomes
- \* Be voluntary for participants
- \* Use consensus based decisionmaking
- \* Be achievable
- \* Condemn the behavior
- \* Provide opportunities for reintegration
- \* Focus on repair of the harm
- \* Provide opportunities for learning
- \* Provide rewards for positive behavior
- \* Hold all participants responsible for their appropriate roles

This exercise is not intended to produce a complete and definitive description of this community based process, but to sketch the outlines of the vision of the group about a good way to resolve conflict and harm.

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How many of these criteria are met by our current process for resolving conflict and harm? In these discussions participants have concluded that our current process falls far short of these standards for an effective way to resolve conflict and harm in the community.

I have engaged in this dialog with groups across the country, in rural and urban settings, among lawyers, corrections professionals, civic groups, church groups. The results are amazingly consistent.

The knowledge we need to create a different way of responding to harm in the community already exists in the community. It is not knowledge about fundamental values and principles or behavior and process that is needed from the professionals and academics. What is needed by communities are affirmation and facilitation. The community needs structure and forums that allow it to act on its own knowledge of human behavior and effective process.

Both of the questions used in this dialog are framed around positive potential. This method focuses the group on capacity and strengths and identifies a positive vision and direction for action. When the issue is framed in this way, community members specify relationships and caring as more powerful forces shaping the behavior we desire than authoritarian power and fear.

Developing the processes that match the vision is not easy, but finding the community wisdom about what the processes should look like has been surprisingly straightforward in my experience.

We don't need a massive "community education" process to teach communities the "right way." We need a massive effort at creating respectful forums in which meaningful, intelligent questions are posed for genuine community reflection and, ultimately, community decision making within our larger societal values.

"Surviving the crisis of our times is not a light challenge, nor an easy one. And yet the answer is as simple as coming home to ourselves, resonating with that greater whole of which we are but an interconnected part, and at some unknown instant, emerging into a new way of being with one another." Cloudhand, P 134.

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