

COMMUNITY JUSTICE ZONES

Citizens and Government Working Together
To Repair and Restore People and
Communities Affected by Crime

A Project of Dakota County
Community Corrections

INTERIM REPORT TO THE MINNESOTA LEGISLATURE
January 15, 2001

Dakota County Community Corrections

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Community Justice Zones

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Community Justice Zones

The Mission of Dakota County Community Corrections:

We are committed to preventing crime and repairing harm caused by crime.

We promote:

Public Safety and crime prevention in the community;

Accountability and opportunity for positive change of the offender;

Justice for the victims;

Respectful treatment for all involved.

In the 1990's, Dakota County experienced substantial population growth along with development and expansion in all major sectors -- in business activity, residential / commercial development, community-based organizations and government. During this decade of change for the county and its residents, a prime concern has been to fortify a healthy, positive quality of life.

Many factors blend together to create "quality of life." This Interim Report describes a Dakota County initiative focused on one quality-of-life factor -- crime, its impact on people and communities, and ways to improve government's efficiency and effectiveness while addressing the effects of crime on communities.

As the area's population grows, the county's justice system handles an increasing load. The Dakota County Community Corrections department is identifying ways to be more effective and make a positive impact on the lives of people and communities affected by crime. One way has been to introduce "Restorative Justice" principles and practices into local community corrections activities and to other agencies of the county. "Restorative" means that the parties affected by crime -- victims, offenders and other members in the community -- have opportunities to *play an active role to rebuild and restore* individuals and communities after the damage caused by an offensive or criminal action. A philosophy of civic responsibility underlies Restorative Justice. Not only do citizens and communities have a chance to get involved in repairing and restoring -- it is also their *duty* to do so.

In February 1999, Dakota County Community Corrections, then led by Director Mark Carey, proposed an idea to the Minnesota Legislature and requested funding to test this idea. Dakota County proposed to establish "Community Justice Zones" in a few cities of the county. In these places, citizens and officials of the justice system would work together to integrate restorative ways to handle crime, to repair the damage suffered by individuals and communities after crime occurs, and to head-off situations that could turn into crime. The Dakota County Board of Commissioners approved the proposal which requested \$500,000 to create and evaluate a "Community Justice Zone" project. The Legislature approved the request with certain modifications, namely, that the project include a "redesign of juvenile court."

Legislation

In June of 1999, the Minnesota Legislature awarded \$500,000 for a two-year pilot project to develop Community Justice Zones in Dakota

Preface

County. According to Senate File 2221, Section 24 from the 1999-2000 Omnibus Crime Bill:

" Subdivision 1. Dakota County is authorized to establish a community justice zone pilot project that includes the redesign of the juvenile court.

Subdivision 2. Dakota county (sic) shall select two or three communities within Dakota county as sites for the pilot project. Within each community selected, the Dakota county juvenile court and the department of community corrections shall identify organizations to serve as partners in the redesign of the juvenile court and development of community justice zones. The partner organizations shall include schools, social service agencies, law enforcement agencies, city officials, housing representatives, community groups and faith communities. The juvenile court and department of community correction shall meet with representatives of the partner organizations to identify common values and to adopt an action plan. The action plan may include, but not be limited to, any or all of the following:

- 1) community forums with criminal justice system representatives;*
- 2) community notification and involvement in prison release cases;*
- 3) development of a criminal justice team with a community prosecutor, local police officers, and probation officers;*
- 4) a prosecutor outreach program in designated community schools;*
- 5) support circles for supervised release offenders;*
- 6) probation and police teams;*
- 7) expansion of circle sentencing and development of guidelines for circle sentencing;*
- 8) probation officers working out of police stations;*
- 9) peace officer and probation officer ride-along programs;*
- 10) expansion of school-based probation; and*
- 11) crime prevention outreach through local cable television and other media outlets.*

Subdivision 3. The Dakota county community corrections department with the Dakota county juvenile court shall report to the house and senate committees responsible for criminal justice policy by January 15, 2001, with an evaluation of the project and recommendations for implementation in other jurisdictions."

This Interim Report describes how Dakota County's "Community Justice Zone" project has progressed from July 1, 1999 to December 31, 2000, the project's first 18 months of activity.

This report also presents Dakota County's preliminary findings and a set of recommendations based on what has been learned so far.

Acknowledgements

The Community Justice Zone Project would like to acknowledge the many individuals and organizations who have helped make this project a reality. Before specific names are mentioned, it is vital to highlight the many unnamed and unsung citizens from each of the three communities who have offered their expertise as community members, as well as given generously of their time. It is these citizens who are at the core of an ambitious goal of changing how justice is done.

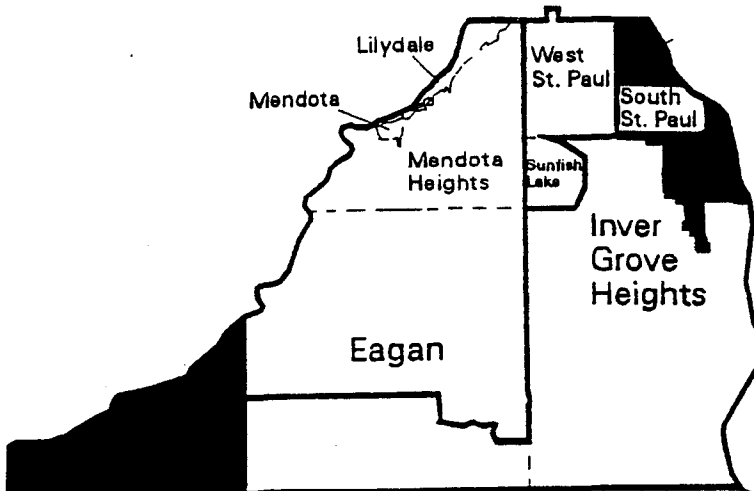
There are many other people who share enthusiasm for this project and who have helped in numerous ways. While it's impossible to name everyone, the following people have been instrumental in planning, implementing and conducting a developmental evaluation of the Community Justice Zone project:

- *Groups who were interviewed and otherwise involved include: Dakota County Board of Commissioners, especially Commissioners Michael Turner and Paul Krause (Burnsville), Joseph Harris (Hastings) and Donald Maher (South St. Paul); judges (with special thanks to Leslie Metzen, Tim McManus and Rex Stacey); prosecutors (particularly Jim Backstrom, Don Bruce, Karen Henke, Phil Prokopowicz and Mary Theisen), public defenders (including Patricia Rettler), police, faith community, business community, school personnel, and of course, community and neighborhood groups. Additionally, the Department of Children, Families and Learning and the Department of Corrections have played important roles in the project.*
- *Individuals who played important roles include: Lynn Arbogast, Gay Bakken, Gordon Bazemore, JoAnne Bollenbeck, Mark Carey, Bob Coates, Joe Carter, Barbara Gerten, Meg Grove, Stephanie Haider, Marcia Honold, Barbara Illsley, Jerry Knutson, Tammy Loberg, Anne McDiarmid, Natalie Nelson, David Pettiford, Phil Prokopowicz, Mary Renken, Ann Warner Roberts, Dave Rooney, Lois Swanson, Terrie Ten Eyck, Mary Theisen, Mary Leadem Ticiu, Betty Vos, and Mark Zuzek.*
- *The Minnesota State Legislature deserves special mention for its vote of confidence in the Community Justice Zone Project by allocating funds to take the project forward.*

The project is heading down a road to stronger and healthier communities that, in a true public/private partnership, are discovering increasingly effective ways to prevent and intervene in crime within communities.

Community Justice Zones

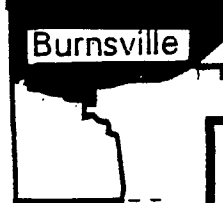
Dakota County Map



South St. Paul:
 Est. pop. 1999: 19,901
 99-00 School Yr.:
 Youth pre-K-12: 3,576 (18% of pop.)
 Youth: 90% Caucasian, 10% of Color
 54% of households under \$35,000 income
 38% of households \$35K-\$75,000 income
 8% of households over \$75,000 income

* Juvenile & Adult Offenders
 Cases Opened

1998	1999	2000
7	17	346 (11mo)
.6/mo	1.4/mo	31/mo



Burnsville:
 Est. pop. 1999: 60,308
 99-00 School Yr.:
 Youth pre-K-12: 11,610 (19% of pop.)
 Youth: 83% Caucasian, 17% of Color
 37% of households under \$35,000 income
 47% of households \$35K-\$75,000 income
 16% of households over \$75,000 income

* Juvenile & Adult Offenders
 Cases Opened

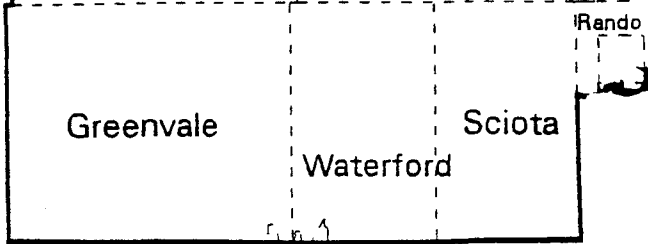
1998	1999	2000
667	751	697 (11mo)
56/mo	63/mo	63/mo



Hastings:
 Est. pop. 1999: 18,099
 99-00 School Yr.:
 Youth pre-K-12: 5,202 (29% of pop.)
 Youth: 97% Caucasian, 3% of Color
 49% of households under \$35,000 income
 44% of households \$35K-\$75,000 income
 7% of households over \$75,000 income

* Juvenile & Adult Offenders
 Cases Opened

1998	1999	2000
436	437	395 (11mo)
36/mo	36/mo	36/mo



* numbers represent open DCCC probation cases

Community Justice Zones

What Are They?

"There just has to be a way for my child to feel safe again in school."

Mother of young assault victim

"At first I was kind of scared to face all those people, but I'm glad now that I did it... I was sorry for what I did and got a chance to talk to them about it."

Juvenile Offender

Community Justice Zones

What are They?

The idea of Community Justice has grown out of people's concerns that:

- a) the justice system does not always meet the public's needs, and
- b) the justice system itself does not always get the support or understanding from the public that it needs to be effective.

Crime can be managed more effectively if the community and the government work together. Community Justice places the community and the individuals directly affected by crime, such as victims, offenders or other people close to these individuals or to the incident, at the center of justice activities and efforts. The components of Community Justice may include:

- the wide array of community-serving organizations that work to strengthen communities and address people's problems
- community corrections operating in partnership with police
- community policing
- community prosecution operating within neighborhoods or with close ties to community-based organizations.

In Community Justice, these components work closely together with citizens to identify and resolve community problems, and they respond to crime jointly, as a united front working for the same ultimate goal.

The Community Justice Zone project is based on a few key Restorative Justice values and principles:

- **Repair the harm.**

Crime causes harm to people and communities. Justice should therefore focus on repairing the harm so that people and communities can be restored and remain strong.

- **Involve stakeholders.**

If we are going to repair the harm, we must involve those people directly hurt by offensive actions -- victim, offender, the families and supporters of both, and affected communities. These parties should be involved as early and as often as possible in the process. They all have a voice in influencing outcomes. Consensus is sought.

What Are They?

- **Change the roles and relationship of community and government.**

The community is the first line of defense against crime and can play a more prominent role in the response to crime. Government's role becomes facilitative and monitoring. There is shared power and ownership of decisions and activities. Each player has a different role, and all work for the common goal of repairing the harm.

These principles are essential for a restorative process to take place. Restorative practices occur when people working in the criminal justice system join together with other community members to share information and make decisions together.

PURPOSE

The purpose of Dakota County's Community Justice Zone project is to develop a fully restorative approach to crime that includes post-crime responses as well as prevention and early intervention strategies. These approaches are driven by neighborhood/ community partnerships focused on *reparative* activities and restorative values, as described above. In Community Justice and Restorative Justice, energy is not spent on retribution. Instead, people's energies are directed toward helping the broad community and individuals, both of which have been damaged by crime, to heal, recover and regain productive, positive life-direction.

Objectives of the Community Justice Zone project are to:

- Increase the community's sense of capacity and collective efficacy for addressing criminal justice problems. (Collective efficacy refers to mutual trust among neighbors combined with the willingness to intervene on behalf of the common good.)
- Increase community skills in problem solving and conflict resolution, particularly through the use of collaborative, cooperative, restorative processes (i.e., non-adversarial).
- Create informal support systems or safety nets for victims and offenders.
- Ensure that harm is repaired; future anti-social behavior is prevented while protecting public safety.

Community Justice Zones

What are They?

THE "ZONES"

Three cities in Dakota County were chosen to be the Community Justice Zones tested in this pilot project. While it would have been interesting and beneficial to develop more sites, this project was limited to three cities for the sake of expediency and due to the short, two-year duration of the project.

The communities were selected based on results from two surveys: a survey of Dakota County city administrators developed and administered by the Community Corrections Advisory Board; and another survey of police chiefs about their interest and readiness for community forums related to this project's objectives.

The Community Justice Zones in this project are:

- South St. Paul
- Hastings
- Burnsville

Each of these communities had some prior experience or interest in developing community justice practices.

Community Justice Zones

Project Structure

"Dakota County is vigorously pursuing unique applications of justice interventions to partner with the community to improve both the end product as well as the process of justice. Government cannot do it alone. A full partnership is needed which includes ALL the key players."

Mark Carey

Community Justice Zones

Project Structure

COMMUNITY JUSTICE ZONE TEAM

A Project Team has been formed to support each community in accomplishing the project's objectives. This Team consists of people whose involvement is vital to the operation of Community Justice Zones.

Initial Team members included community corrections staff, and as the project progressed, the team has expanded to include community members, the prosecutor's staff and the judiciary.

The Team meets monthly to plan, share information, problem-solve and develop strategies for building on successes and overcoming barriers. In addition, this Team has identified the following focal areas for its efforts:

- Assist in developing a transformed community role via information, education and technical assistance.
- Link communities participating in this Community Justice Zone project to each other.
- Lead a process of clarifying vision and goals for the criminal justice system.
- Monitor community activities to ensure that state and national values are honored, such as due process.

The Community Justice Zone Team members are:

*Anne McDiarmid, Community Corrections
Department Unit Supervisor and
Community Justice Zone Project Manager
Terrie Ten Eyck, Project Coordinator
Ann Warner Roberts, Evaluation Coordinator
Natalie Nelson, Circle Coordinator
Barbara Gerten and
Mary Ticiu
Both from So. St. Paul Restorative Justice Council
Marcia Honold, Burnsville Community
Joanne Bollenbeck, Hastings Restorative Justice
Council
Hon. Mary Theisen, First Judicial District Court
Judge (former Asst. County Attorney when this
project began).*

WORKPLAN

The Project Team identified activities necessary for implementing restorative practices in each of the participating communities, or Community Justice Zones. Inherent was the assumption that local stakeholders will determine the scope and nature of Community Justice activities in their own "Zones." Therefore, a Community or Restorative Justice Council was formed in each community, made up of people with a broad mix of community interests. In South St. Paul, a Restorative Justice Council had already existed for several years, and that community had started to incorporate restorative justice values and practices into local programs. In the other two communities -- Hastings and Burnsville -- the Project Team helped interested stakeholders come together and form local Councils.

The Project Team set out the following tasks in its workplan:

- Identify or establish statutorily mandated groups. The first step was to identify individuals and groups for introduction to Restorative Justice in each of the Community Justice Zones.
- Assess community needs. The Team delivered an introductory workshop on Restorative Justice principles. This included asking the participants to identify local community needs related to crime, community justice and related issues.
- Develop a statement of principles and common values in each Community Justice Zone. The Project Team worked with each of the three communities to solidify their community partnerships, define their vision and develop local action plans to meet the overall objectives of the Community Justice Zone project.
- Develop an Action Plan in each of the Community Justice Zones. (These local Action Plans are described in Appendix A.)
- Evaluate the process of creating Community Justice Zones to assist replication in other places. An outside evaluator, Dr. Gordon Bazemore of Florida Atlantic University, was enlisted to oversee this project's evaluation. He and a subgroup of the Project Team, with assistance from others, designed an assessment tool to evaluate this project. In addition, this group has conducted focus groups and individual interviews to gain more information about the impact of the Community Justice Zone project. Preliminary findings are summarized later in this Interim Report. Full text of Dr. Bazemore's report is available from Dakota County Community Corrections.

Project Structure

Getting Started...

>> *How Can Schools Contribute to Unlearning Violence?* <<

In August 1999, the Dakota County Community Corrections agency held a workshop for school personnel and law enforcement officers. The topic: Effective strategies for reducing violence and disruptive behavior in Dakota County schools. Presenters were:

- Nancy Riestenberg, the Violence Prevention Specialist from the MN Department of Children, Families and Learning
- Paul Schnell, Carver County Deputy Sheriff on Family Group Conferencing
- Don Bruce, head of the Dakota County Attorney's Office Juvenile Division
- Chief Judge Leslie Metzen
- Ann Warner Roberts, Center for Restorative Justice and Peacemaking at the University of Minnesota's School of Social Work

A follow-up two-day workshop is scheduled for January 2001.



Building Momentum.....

The Project Team held an introductory workshop in October of 1999 for the "core" members of the Community Justice Zones from Burnsville, Hastings and South St. Paul. Twenty-four people from these three communities attended, where they had a chance to meet each other, learn about goals of the Community Justice Zone project and share ideas on getting their local Community Justice Zones off to a good start. Subsequently, these participants took many of the ideas generated at this workshop back to their local communities where the local Restorative Justice Councils have carried out a wide variety of activities to encourage the use of Community Justice practices.



Keeping It Going...

Later in October 1999, an enthusiastic group of 37 people turned out for "Restorative Conferencing" training. Among these were 18 community members and Dakota County Community Corrections volunteers, 8 law enforcement officers, 9 family & school workers from the Community Action Council, and 2 educators. Trainers Nancy Riestenberg, Stephanie Haider, Sue Stacey and David Hines conducted an indepth, dynamic session where the participants gained knowledge and practical skills to facilitate group conferences. These group conferences are specially- designed to offer an opportunity for dialogue between persons who have been harmed in the community and those who have caused the harm.



Community Justice Zones

Project Accomplishments

"Repair is not just restitution;...it is also to feel safe and not lose faith in the community."

"The community is accountable to the offender when providing supervision, mentoring or helping the individual find a job."

"...make sure he or she is connected with the community... ultimately, when the offender has a stake in the community, crime will be reduced."

Comments by Prosecutors, Judges and Defense Attorneys in
Dakota County focus groups

Community Justice Zones

Project Accomplishments

- **Community or Restorative Justice Councils have been established in each of the Community Justice Zones. These Councils are the catalyst for local programs that put Community Justice practices into action. *NOTE: Each community's Action Plan is shown in Appendix A.**

In South St. Paul, the Restorative Justice Council was in existence for two+ years when the Community Justice Zone project began. This Council was receiving certain cases directly from the police department to conduct a "Circle" process. Called "Circles" because people often sit in a circle while they meet together, this process is emerging as a way to enhance community involvement in matters of justice. Peacemaking or restorative justice circles can occur at any point of the justice process. Circles can be intended for understanding, healing, sentencing, review-of-sentence and other purposes. Circles emphasize local community

participation and victim-offender dialogue, similar to restorative conferencing. Drawing on Native American and First Nation traditions, the Circle process empowers each person in the circle as an equal and recognizes the relationship between justice and the "whole person" -- physical, intellectual and emotional dimensions of each individual in the context of community and culture. (see Robert B.

Coates, Mark Umbreit and Betty Vos, Restorative Justice Circles. University of Minnesota, 2000.) In the Circle process, people affected by an incident discuss what's happened and how it has affected each party. They devise a plan for how to repair the harm and what each person will do to contribute toward preventing another incident. During the Community Justice Zone project, the South St. Paul Restorative Justice Council met monthly for a year; then increased to twice per month because of increased referrals. Currently, the Council has again increased its meetings to once per week, due to even more activity by Council members.

"Mrs. Ticiu, can I have the Talking Piece - we want to do a Circle."

This is what a young girl asked as she ran up to the playground supervisor during recess. Staff and students at this school had been learning about the "Circle" process for resolving conflict. All parties get into a circle, and as a special object is passed around (the Talking Piece) each person calmly tells how he or she feels about this situation and gives ideas for solving the problem. Then the group comes to an agreement about what should be done. Most notable is the fact that the children had learned how to handle conflict on their own and prevent it from escalating. It was now part of their "culture" to resolve such incidents peacefully. The kids convened the circle and operated it themselves, without intervention from adults. ♦♦♦

Community Justice Zones

Project Accomplishments

During the Community Justice Zone project, the South St. Paul RJ Council has served as a clearinghouse for Restorative Justice practices in the local area. The Council's primary work has been conducting circles for adult and juvenile cases. (See Appendix B: Evaluation of South St. Paul Circle Initiative.) The Council has also focused on outreach and education for the public and justice system. For instance, they created an introductory packet on Restorative Justice and RJ practices, which they give out to help people understand the process. The group has also worked with the county attorney and police to develop guidelines for referral of cases to the local Restorative Justice Council.

The Hastings Restorative Justice Council meets monthly, and occasionally twice per month. The group rotates the meeting location so members have convenient access, and also, so that members can

The Hastings Restorative Justice Council uses the Circle Process in a variety of cases. For example: When two young first-offenders caused several thousand dollars' worth of damage to public property (felony-level), 14 people from the community came together in the Circle: the two juveniles, parents and other adults concerned about the youths, the judge, prosecutor, public defender, and victim. The juveniles were held accountable by the group, who looked at options for what the youths could do to make amends and then decided how the youths should repair the harm. The group focused much attention on the future, to ensure that the youths would be involved in activities that drew them back into the community in positive ways. It was considered of utmost importance by the group to help avert stigma and an "outsider" label in the community, things that could contribute to future offending.

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come in contact with various parts of the community. In the beginning of the Community Justice Zone project, the county's Community Corrections Advisory Board co-sponsored a community forum in Hastings, along with the Hastings Police and Youth First, a nonprofit agency serving the Hastings area. At this forum, community corrections staff and other community members learned more about the Community Justice Zone project. The

forum also gave people a chance to say what they think is going well in criminal court processing and where improvements are needed.

Faith communities in Hastings have begun to respond to the Community Justice initiative. Hastings was the site of a training session in July 1999 for AMEN (Adolescent Mentoring Network), a program that provides volunteer mentors for at-risk youth, including kids receiving wrap-around services through the Children's Mental Health Collaborative, teens from local schools, and youth at the

Community Justice Zones

Project Accomplishments

Juvenile Service Center. Although this particular initiative is no longer in existence, it formed the foundation for a countywide mentoring program. Members from the Hastings Restorative Justice Council have been trained in circle process and conferencing and are now actively handling cases in their community.

Early in this project, an ad hoc Community Justice Group in Burnsville met once per month, and later increased to twice per month. Over five months, the group articulated a vision, mission and action plan. The

Burnsville group chose to focus its efforts on juvenile court redesign and conflict resolution in schools. Burnsville is implementing two local projects:

"Operation J.O.L.T." and a new "School-based Restitution" program to assist with conflict resolution and classroom management. (See Appendices C & D.) The group discontinued regular meetings when these projects were implemented, but local residents are discussing how to continue an ongoing Restorative Justice Council. The Burnsville Police

Department has hired a coordinator to become involved in other activities of this group, to manage J.O.L.T. cases and collect data.

All three of the Community Justice Zones have documented their activities through agendas and minutes of meetings. The Councils also maintain notes, memos and stories of cases handled with restorative practices. In addition, Project Team members complete quarterly reports to track overall progress of the project.

Operation J.O.L.T. (Juvenile Offenders seen in Less Time) was selected by the Burnsville community as its primary pilot program in the Community Justice Zone project. The objective is to accelerate the time from which the juvenile commits an offense to his or her court appearance. Offered as a model by Dakota County Judge Timothy McManus, *the assumption is that the sooner the juvenile and family appear in court, the more responsive the judicial system can be to the youth and the community.* Operation J.O.L.T.'s two main goals:

- 1) To address all issues affecting the juvenile/ family/ school/ community through a coalition of people as soon as possible after the offense; and
- 2) To share resources and information from various branches of government or institutions, such as schools, courts or social services. The parties try to work out all issues, not just the particular offense that brought the youth before the court. For instance: a youth admits to a theft. At the initial appearance, it is also discovered that the youth is sometimes truant, hanging around with a bunch of kids the parents suspect of drug use. In this example, drug screening may be ordered in an attempt to address the root cause of the theft. It is anticipated that this immediate intervention will help prevent re-offending.

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Community Justice Zones

Project Accomplishments

- **Redesign of Juvenile Court, as proscribed by the 1999 legislation which authorized the Community Justice Zone project.**

The legislation provided latitude in how to accomplish a juvenile court redesign. The Project Team and advisors to the Community Justice Zone project defined the goal of this redesign as follows: "to explore alternatives to keep juveniles out of the criminal justice system and prevent recidivism." Initially, the Community Justice Zone project had two components:

- 1) Building the local Restorative Justice Councils in each Community Justice Zone, and
- 2) Developing a plan for redesign of the juvenile court.

As the project progressed, however, these parts have been merged for two important reasons:

- 1) From a practical standpoint, it is inefficient and confusing to convene two planning groups -- many of the same people are needed in both efforts.
- 2) From a philosophical perspective, the ultimate goals of both efforts are nearly identical.

Additionally, the Project Team believes that the locally-based restorative practices being implemented in each community and the way in which the juvenile court operates are closely tied and should be linked to have the utmost impact.

A group of community members, judges from the juvenile bench, and other system staff held a series of meetings to define objectives and set priorities. Dr. Gordon Bazemore made a presentation to this group about evaluation. This group identified the following focuses:

- Build strong communities so crime doesn't occur
- Increase speedy disposition of cases
- Reduce recidivism
- Improve public perception of the juvenile court process -- give information to the public
- Increase safety of communities
- Increase victim participation and satisfaction
- Support democratic values, community and victim involvement
- Understand different interests of system players and victims
- Reduce volume of cases going to court.

Community Justice Zones

Project Accomplishments

So far, the Dakota County Juvenile Court has instituted the following practices that complement the objectives of the Community Justice Zone project. It is likely that the trainings, the activities of the local Restorative Justice Councils and heightened discussion of restorative practices that are integral parts of the Community Justice Zone project are helping create a receptive climate that allows people and institutions to try new practices intended to improve the response to crime.

- Operation J.O.L.T. (Juvenile Offenders seen in Less Time) is one judge's conception of juvenile court redesign being tested in the Burnsville community. It reduces the length of time that passes from when a juvenile commits an offense to when he or she appears in court. This model also looks at various issues affecting the juvenile and attempts to address any contributing factors related to the actual offense. This allows for more immediate consequences for the youth, and hopefully, a more effective and lasting impact on future behavior. While demonstrating some success to date, the next phase of this pilot is to expand to felony-level cases and incorporate more restorative practices that may include community J.O.L.T. circles, greater victim involvement, and juvenile offenders participating in decisions about how they can repair the harm.
- During the next few months, Burnsville's ad hoc Community Justice group plans to gather local citizens for a brainstorming session. They want to get additional ideas from community members on ways to hold juvenile offenders accountable in that community, as an attempt to avert some of the negative side-effects that an adversarial court process can produce on a youth's attitudes and future behavior.
- At the Juvenile Service Center, a restorative practice is now in use with juvenile offenders living in the long-term section and also with youth in the New Chance program. "Circles" of support, conflict resolution and healing are taking place in an attempt to reduce ongoing conflict between the boys and to help them discover appropriate, non-aggressive ways to deal with their anger. Feedback from facilitators and youth has been positive. According to one boy, "*It's the realest group I've ever been in.*" Although still too early to tell, this effort may help reduce recidivism among those youth who are at highest risk for re-offending.

Community Justice Zones

Project Accomplishments

- The restorative conferencing and circle processes now being used by Restorative Justice Councils in the local communities are early interventions -- methods for responding to offending behaviors while keeping the juvenile out of court. Sometimes the school or police refer these cases to the local Councils. Other times the cases are diverted from court by the prosecutor working in tandem with police and probation.
- While not officially part of the Community Justice Zone project, a new "Peer Court" has been developed, through the efforts of a judge and others, including some of the Community Justice Zone project team members. Teens who undertake special training and leadership development become "peer jurors" of sorts, and as a group, discuss with juvenile offenders the incident which brought the juvenile into court. The members of the Peer Court then come up with a "ruling" which spells out what consequences the juvenile offender will experience. These often involve personalized ways in which the juvenile offender must make amends. The consequences decided by the Peer Court are often more comprehensive or stringent than traditional juvenile court authorities might select. However, when the focus is on *restoring* and *repairing* the damage done, the entire experience can be quite personalized and instructive for juvenile offenders. The purpose of Peer Court is mainly educational, designed for first or second time property offenders. The coordinator of the Peer Court is moving in a restorative direction by inviting victims to participate and using volunteers from the community in the program.

Juvenile court redesign is not finished, and in fact, may be a constantly evolving effort. The

A defense attorney attended a restorative justice meeting with his juvenile client. At the meeting, the various parties affected by the offense, including the juvenile, talked about the incident. The group decided on consequences and ways that the juvenile would repair the harm. Later, when asked what he thought of the whole process, the defense attorney called it "barbaric." On the other hand, the boy said that though he had been scared to face "all those people," he was glad he had done it. He said he wanted to apologize, and it was important to him that the people he harmed forgave him.

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Community Justice Zone project's efforts to explore a "redesign" of juvenile court is sparking ongoing discussion among judges and others connected to the juvenile court process. Dakota County juvenile court judges have discussed two scenarios: a) having one or two judges handle all juvenile cases, and

Community Justice Zones

Project Accomplishments

b) using a "one-family/ one-judge" approach to assigning cases, so that the same judge would handle court cases of all members in a family, which could aide continuity and consistency in sentencing. Other discussion has included how to engage defense attorneys more actively with the Community Justice Zone concepts and activities. (See text box above.)

- **The County Prosecutor's Office has become more involved in restorative practices and is working more closely with communities, especially local police departments.**

During the Community Justice Zone project, the prosecutor's office produced five newsletters for law enforcement offering information and education on the County Attorney's work, current cases and department initiatives. These were authored by Prosecutor Mary Theisen, who was later appointed as District Court Judge in Scott County.

Prosecutors are now going out into the community and interacting more often with police, schools and community members. For instance, during her tenure as a Dakota County prosecutor, Ms. Theisen spent one day per week in each of the local police departments, providing assistance, education and information to police on current cases. She and other members of the County Attorney's office participated in training programs for patrol officers on community policing, juvenile offender issues, arrest, search and seizure, and in Burnsville's J.O.L.T. program. She also assisted school-based probation offices with information and education on cases and issues. A "Career Day" for students included a presentation by the county prosecutor's office. In addition, Ms. Theisen helped the South St. Paul Restorative Justice Council understand the County Attorney's guidelines for cases appropriate for restorative justice involvement. And she provided information as that local Council worked to define its own guidelines for accepting cases as a community.

Some of the county prosecutors have now been assigned to the Community Justice Zone project and are attending council meetings and restorative group conferences or circles that are held in the community.

Community Justice Zones

Project Accomplishments

- **Local Action Plans are now in operation in the three Community Justice Zones.**

The communities' Action Plans are shown in full in Appendix A.

Each Action Plan is unique. These Action Plans reflect the priorities and interests of the local people and justice system personnel who participated in developing a plan for each locality. In some places the local residents and justice system personnel worked more closely together or in a more coordinated fashion than in other places. The Community Justice Zone evaluator examined the process that each community used to create its Action Plan, and he comments about the differences in each community's planning process and what those differences might mean over the long term for the communities. (Full evaluation report available from Dakota County Community Corrections.)

- **Steady, extensive outreach to the community during this project has included many forms of training, publicity, and publication.**

The Project Team has arranged a broad mix of training sessions, workshops and conferences for various audiences. (See Appendix E: Workshops & Training and Appendix F: Services.) Informational meetings have been also been held for particular audiences. For example, a special meeting on restorative justice and the faith community was held for people of the three communities. Jean Greenwood, consultant, presented her curriculum, "I am the One Who Can Make the Peace," as an example of how faith communities can get actively involved in Restorative Justice.

Members of the Project Team have also established a relationship with staff at William Mitchell College of Law to collaborate on a new curriculum for legal personnel on Restorative Justice. This will have long-ranging impact as the next generation of justice system personnel graduates from law school and assumes the roles of prosecutors, defenders and judges in the justice system.

The Project Team maintains close contact with local media sources to ensure that the Community Justice Zone concepts and stories are told regularly in local media sources. (See Appendix G: Media Outreach & Appendix H: Community Justice Zones Newsletter.)

Community Justice Zones

Project Accomplishments

Three important publications are products of the Community Justice Zone project:

- "Deciphering Legalese: A Glossary of Terminology Commonly Used in the Adult and Juvenile Court Systems of Dakota County"
- a "Community Justice Zone Handbook," currently being developed, will summarize best practices, challenges and recommendations for creating Community Justice Zones in other jurisdictions.
- "Case Acceptance Considerations," is a tool developed by the South St. Paul Restorative Justice Council in conjunction with the County Attorney's office. The tool helps determine the appropriateness of cases for restorative activity by looking through a restorative lens.

Community Justice Zones

Process Evaluation

"...there are hopeful signs of progress and potential for future community justice efforts in each zone community."

Dr. Gordon Bazemore,
Evaluator of Community Justice Zone project

Community Justice Zones

Process Evaluation

In a evaluation of the process undertaken by the Community Justice Zone project to achieve its purpose, a number of factors are being examined by Dr. Gordon Bazemore. Dr. Bazemore is a noted researcher and professor at Florida Atlantic University in Fort Lauderdale, Florida. He is also Project Director of the Balanced and Restorative Justice (BARJ) project, supported by the Office of Juvenile Justice and Delinquency Prevention of the U. S. Department of Justice.

FINDING THE BASELINE

The process evaluation has begun by determining "baseline" information about the communities involved in the Community Justice Zone project. This baseline consists of information gathered from community members (in three focus groups) and from people working in governmental or criminal justice positions (in four focus groups and 27 individual interviews). In addition, a city survey completed in Burnsville provided more information about Burnsville residents' thoughts on alternatives to current court processing.

The focus groups for community members took place in Hastings and South St. Paul and included a broad mix of people from those local areas. A school-oriented focus group also gathered information from educators about using restorative measures when responding to school discipline, misbehavior and harm within the school setting.

Focus groups of "system" personnel gathered information from police, victim-witness professionals employed by the prosecutor and probation officers. Individual interviews gathered information from county commissioners, judges, prosecutors, and defense attorneys.

In the focus groups and personal interviews, people were asked about their views on the meaning of justice, and what they thought about the repair of harm, the involvement of community stakeholders in carrying out justice, and a change in the roles of community and government in handling crime and justice matters. (See Appendix I: Survey Instruments.)

These focus groups and interviews took place near the beginning of the Community Justice Zone project in late 1999. In general, the baseline study revealed a general lack of awareness about the principles of restorative justice, and also, a general lack of commitment to these principles. Naturally, the levels of awareness or

commitment varied, depending on which group, category of people or community was interviewed.

This baseline study also indicated that the community members and system personnel had a general lack of connection -- sometimes confusion and sometimes suspicion -- about each other. This is likely a factor in how the various initiatives of the Community Justice Zone project (i.e., community-building, juvenile court redesign, and community prosecution) have or have not been able to coordinate with each other in the target communities participating in this project.

CRITIQUE OF THE LOCAL ACTION PLANS

The process evaluation of the Community Justice Zone project has also included a close look at the Action Plans developed by each of the three communities. The main points of Dr. Bazemore's critique are:

- Each community's Action Plan has points of strength and reflects concerns of the local citizens, although the Action Plans are at different places along a continuum of completeness and ability to bring restorative practices into the local community justice efforts.
- In just one of the three targeted communities was a recommended three-step planning process followed through to a conclusion. (Step 1. Where do we want to go? Step 2. Where are we now? Step 3. How do we get there?)

This has contributed to a difficulty the project has experienced in some communities where the communities' priorities and interests are not fully integrated with the directions that the system stakeholders take. He suggests that the other two communities will find it helpful to resume and complete this three-step planning process.

- Action Plans developed by two of the three communities should be revisited to ensure that objectives are stated in *MEASURABLE* ways, and to ensure that objectives clearly connect the activities proposed by the community to the vision for community justice.

The full text of Dr. Bazemore's report is available in a separate document available from Dakota County Community Corrections.

Community Justice Zones

Challenges, Learnings & Recommendations

"Somehow we got into the mindset that we need an expert to solve every problem, rather than trusting that when we all work together, we have all the expertise we need."

Community member participating in
South St. Paul Restorative Justice Council

Community Justice Zones

Challenges, Learnings & Recommendations

- Overcoming attitudes and prevailing public opinion has been a significant challenge. For instance, during this Community Justice Zone project, people in the community often referred to police, prosecutors, defense attorneys, judges or corrections personnel as "system folks," inferring that these system folks were different or separate from the rest of community members. Such an attitude among the general public presents an obstacle that needs to be overcome before Restorative Justice values, which are rooted in consensus, power-sharing, and working for the common good, can take hold.
- Likewise, it has been difficult at times to get "system" representatives and members of the local Restorative Justice Councils to sit down together and work out mutually acceptable policies and procedures for the Restorative Justice practices that are growing in each community. Building trust, positive relationships and shared power between citizens in the community and "system" representatives is sensitive work. It needs sustained and consistent effort. And it requires optimism and tenacity.
- Differing agendas, impatience for quicker action, and/or lack of understanding of priorities, between local citizens and public officials who carry out criminal justice services has been a challenge for the Community Justice Zone project. For example, before local Restorative Justice Councils had completed identification of priorities and developed action plans, some stakeholders, in their enthusiasm, moved forward before the communities were prepared. Situations like this can result in an uncoordinated or disjointed mix of programming, or may contribute to mistrust between citizens and government officials.
- Each of the three communities in this project took a slightly different route on their journey to create local Action Plans. The professional evaluator who has studied this Community Justice Zone project notes that in only one of the three communities did local citizens provide the driving forces behind the local Action Plan. In that community, in direct contrast to the other two places, the interests and objectives of local citizen initiatives were built into the local Action Plan first. Then the needs of justice system players were considered and incorporated in ways that the citizens decided fit with their plan. In the other two communities, the efforts aimed at juvenile court redesign, community prosecution

Challenges, Learnings & Recommendations

and restorative practices handled in the community have proceeded along independent paths that only occasionally intersect. The result thus far in those communities is an apparent lack of linkage between the system-focused initiatives and the planning and action process of local citizens in the Restorative Justice Councils. This is another illustration of how deeply separated communities can be from government, and of the challenges this presents to a project like the Community Justice Zone project.

➤ Sustaining the effort of the local Restorative Justice Councils over the long term is a challenge for communities. The Community Justice Zone project has provided a catalyst and has brought a considerable amount of expertise and resources into the local communities. Without a comparable spark plug in the future, local communities may find it hard to keep up the momentum.

➤ Many factors come into play to help or hinder the criminal justice system's willingness to incorporate new concepts or practices, such as Restorative Justice. The support and involvement of department heads, such as police chiefs, chief

prosecutors, judges, corrections directors, or county commissioners are a key to: a) whether or not restorative practices are allowed to flourish, and b) whether or not decisions and

After seeing a TV news report about how Restorative Justice is being used in schools and in South St. Paul, a juvenile victim's mother requested that her son's fifth degree assault case be handled by the school or the local Restorative Justice Council in a restorative way. The mother said, "There just has to be a way for my child to feel safe in school." As a result, the Dakota County judge continued the case and referred it to the local Council for "Circle" sentencing.
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planning are shared with local community members and based on community interests. Intensive, sustained outreach and education can help improve understanding and acceptance. Citizen efforts to ensure that their opinions are by public officials can also affect the "system's" receptiveness to try new methods.

Community Justice Zones

Challenges, Learnings & Recommendations

- Among the general public, *fear of retribution* is a factor in some people's decisions about whether or not to participate in Community Justice practices. Whole communities will need to make restorative practices a community norm and a basic expectation -- part of the community's overall culture -- to overcome this challenge. To accomplish such a feat, all sectors -- schools, law enforcement, courts, community agencies, private business, faith communities, and neighborhood groups -- need to build consensus about what standards of behavior will be expected and what will not be tolerated. When the whole community creates a united front, a new community norm can be established. Naturally, this change process takes time and a sustained resolve. It can help to have one entity, such as a local Council, take the lead and ensure that the community moves steadily ahead toward a common goal.
- One boy had been assaulted by another boy in a fight at school. The victim and his mother were given the chance to have a victim-offender meeting to discuss the incident, find ways to prevent future problems between the boys, and determine how the boy who did the assault could make amends. The mother wanted to address causes of the assault, but she was afraid to come to a victim-offender meeting for fear of retaliation. In her reasoning, she remarked, "My son will pay the price for making a big deal out of this." ◇◇◇*
- Another key is *financial resources*. In the way the current criminal justice system operates, Restorative Justice practices are treated as additional strategies -- an expansion of the current services required by today's justice system. Expanded service usually translates into a need for expanded funding. As much as a department head may want to incorporate Restorative Justice practices into the workings and services offered by that department, living with budget realities may limit the chance for Restorative Justice practices and programs to gain ground. In the future, as Restorative Justice becomes more mainstream, rather than an "add-on," it will be possible to redirect existing resources. Until current research about Restorative Justice is more widely disseminated and the body of knowledge expanded about long term outcomes of Community Justice programs, and until the financial and quality-of-life benefits to the public are calculated, it will be a challenge to make the case that resources could be redirected for a beneficial impact on communities.

Challenges, Learnings & Recommendations

INTERIM RECOMMENDATIONS

Based on what has occurred in the Community Justice Zone project's first 18 months, the Project Team makes the following interim recommendations:

1. Expect it to take time -- probably three to four years of concerted effort -- for communities, their citizens and justice system personnel to strengthen relationships, build mutual trust, and work together to identify priorities and gain consensus. This is the work often called "community-building" or "social change" work. At a minimum, commit stable, four-year financial support for projects like the Community Justice Zone project, so that communities can maintain the momentum which often takes a full year to build.
2. Develop an expanded "resource bank" of trainers within Minnesota, so that Restorative Justice training is more readily accessible and affordable for communities in our state. Currently, a number of Restorative Justice specialists are available for training. However, the training is cost-prohibitive for most communities. Therefore, resources for additional trainers and training are needed, as well as for train-the-trainer curriculum.
3. Ensure that impartial, sophisticated evaluation is an integral part of Community Justice efforts. Determine short and long range outcomes, what the impact has been on the community, and cost analysis. It is imperative that the body of knowledge about Community Justice is expanded so that public resources are invested wisely in effective criminal justice strategies
4. In addition to broad community-wide impact, measure the effect of Community Justice efforts with rigorous research on the individuals who become involved -- victims, offenders, children, and other community members who are affected by the incidents handled with restorative practices. This information about behavior or attitude change and other types of impact on individuals will contribute a great deal to the body of knowledge. It can help communities, schools, courts, and other institutions to set priorities and develop effective services.

Community Justice Zones

Challenges, Learnings & Recommendations

RECOMMENDATIONS BY THE EVALUATOR

5. Integrate the community-building, juvenile court redesign, and community prosecution efforts by ensuring that each of these is linked to the strategic Action Plans of the local communities. This will help overcome a trend revealed by the evaluation that these efforts, in some communities, may tend to develop in isolation from each other. Integrating the community-building, juvenile court redesign and community prosecution efforts into local strategic Action Plans will ensure that the "system's" new directions are responsive to community groups' input.
6. Ensure that communities engaged in a Community Justice Zone project carry out, with integrity, the basic three step process which examines:
 - a) Where do we want to go? (*Vision*)
 - b) Where are we now? (*in relation to vision and long-term goals*)
 - c) How do we get there? (*measurable objectives for gauging progress*)

By building consensus within the community for a vision, and by completing an inventory of strengths and weaknesses, the community will be well-positioned for steady progress in which citizens and the "system" work in a coordinated fashion toward common goals and shared responsibility for justice.

Community Justice Zones

Appendices

**Appendix A. Action Plans of three communities:
South St. Paul, Hastings, Burnsville**

Appendix B. Evaluation of South St. Paul "Circles" Initiative

Summaries of Burnsville programs:

Appendix C. J.O.L.T. (Juvenile Offenders seen in Less Time)

Appendix D. School-based Restitution

Appendix E. Workshops & Training Sessions

Appendix F. Documentation of Services

Appendix G. Media Outreach

Appendix H. Community Justice Zones Newsletter

**Appendix I. Survey Instruments:
Focus Groups
Individual Interviews**

Appendix J. Story Sheet

Appendix K. What is Restorative Justice?

Appendix L.. Restorative Justice At A Glance



ACTION PLANS OF THREE COMMUNITIES:

South St. Paul

Hastings

Burnsville

Vision

An active community creating safety, health, respect, and justice.

Mission

Develop and sustain restorative processes in our community to promote healing, increase accountability, and provide support.

Guiding Beliefs

- ⊗ **We believe caring, civic participation, justice, respect, responsibility, and trust build strong communities.**
- ⊗ **We believe in practicing the democratic process where all have the right to an equal voice and the right to be heard.**
- ⊗ **We believe in participation by all individuals and groups in our community and we strive to understand, value, and benefit from diversity.**
- ⊗ **We believe that when victims, offenders and community members have a voice in the restorative process, healing, accountability, and support for individuals occur.**
- ⊗ **We believe in decisions by consensus.**

Balance

When the following aspects are in balance and used in a good way justice, safety, health and respect occur.

- ⊗ **Physical – actions**
- ⊗ **Social – relationships**
- ⊗ **Mental/intellectual – thinking**
- ⊗ **Emotional – feelings**
- ⊗ **Spiritual – connections**

South St. Paul Restorative Justice Council
Community Justice Zones Project Workplan
July 1, 1999 through June 30, 2001
to
Develop Community Justice Zones
(Saturate the community with restorative justice processes)

LEGEND: *Zones Objectives SSPRJC-South St. Paul Restorative Justice Council
 X-DCFL & Bremer Grant Objectives DCCC-Dakota County Community Corrections

Responsible for the Process	Suggested Start Time	Goals, objectives & work plan outlining the tasks necessary to achieve each of the proposed objectives
<u>Increase capacity for restorative justice processes in the justice and education systems.</u>		
*SSPRJC	Ongoing	Be the clearinghouse for restorative justice processes being considered in SSP.
*SSPRJC	DONE	Host reception for new Police Chief and invite police departments from surrounding communities: WSP, IGH, M, MH, SFL, LD).
*SSPRJC	DONE	Meet with the Police Department to give the history of the Council and develop the CJZP plan.
*SSPRJC	Fall 00	Discuss with the County Attorney the vision, mission and guiding beliefs of the SSPRJC and explore common ground.
*SSPRJC	Ongoing	Work with the Police Department, County Attorney Representative, judges, school, and probation to increase knowledge of and support for restorative justice principles and processes and to evaluate effectiveness of restorative measures.
*SSPRJC	Ongoing	Discuss and implement ways to enhance communication with and between criminal justice professionals, school and community members.
*SSPRJC	Ja99-Jn01	Provide funds for 6-8 hours a week of police officers' time to attend restorative justice processes which are outside their regular work week.
*DCCC	Done	Provide a school-based probation officer who supports restorative justice principles and processes. The school/probation partnership makes consistency possible which increases the opportunity for the offender to be successful.
*SSPRJC	Ongoing	Partner with school-based probation by keeping informed on and included in activities (training, cases, processes, etc) of the Council.
*SSPRJC *DCCC	Ongoing	Provide mentors through the Community Education Mentor Program in appropriate cases, including probation cases.
* DCCC	Ongoing	Include community in restorative processes to heal the community in appropriate probation cases.
*County Atty	DONE	Provide to SSP Police Department a County Attorney Representative (Community Prosecutor) one day a week to link people with resources, provide training and information, to help create and implement solutions and be as responsive as possible to the SSP community.

Responsible for the Process	Suggested Start Time	Goals, objectives & work plan outlining the tasks necessary to achieve each of the proposed objectives
*SSPRJC	Spt99-May00	Communicate with Thompson Heights, ALC, ECFE and ABE about restorative justice principles and the circle process.
*School	Fall 99	Dialogue with School Administrators, Police Department, County Attorney Representative, D.A.R.E. Plus Coordinator, Restorative Justice Planners and community members to develop a common understanding of needs, solutions & processes, including the School Safety Plan, Truancy and ATOD policies for consistency and restorative outcomes.
*County Atty	Ongoing	Respond to needs of SSP schools as they request as part of the community prosecutor role.
*SSPRJC	Jan 00	Work with the County Attorney Representative and Police Department to develop guidelines for pre-charging referral of cases to Restorative Justice Council.
*SSPRJC	Ongoing	Explore with city prosecutor's office cases in which restorative processes are appropriate.
*SSPRJC	Ongoing	Partner with school-based family support workers by keeping informed on and included in activities (training, cases, processes, etc) of the Council. Family Support Workers work to prevent violence, ensure school success and promote long-term self-sufficiency by providing families with resources in the community, school and government.
X-School	Ongoing	Support the Check & Connect Program that prevents truancy by identifying students who have poor attendance patterns and by promoting family and school engagements.
X-SSPRJC	Ongoing	Conduct Panel Presentations to discuss in and among those delivering traditional justice.
X-SSPRJC	Ongoing	Develop stronger links with the public defender, county prosecutor and police by sending informative documents, articles, training and conference notices.
X-SSPRJC	Ongoing	Present findings from victims and offenders to corrections and judicial services.
X-School X-SSPRJC	Ongoing	Create conditions for all restorative measures to accommodate victims and offenders harm.
X-SSPRJC X-School	Ongoing	Continue to create strategies to address school discipline & juvenile crime using restorative measures.
X-School	Ongoing	Staff Restorative Planners in each school building
X-SSPRJC X-School	Ongoing	Support restitution initiative in schools by training council and SSPRJC membership
X-School	Ongoing	Enable volunteers to support children as needed to return to school strengthened
X-School	Ongoing	Support school staff development which addresses "needs based discipline" and creates alternatives to suspension
X-SSPRJC X-School	Ongoing	Participate as needed in reintegration conferences in collaboration with the school

Responsible for the Process	Suggested Start Time	Goals, objectives & work plan outlining the tasks necessary to achieve each of the proposed objectives
<u>Increase capacity for restorative justice processes in the community.</u>		
*SSPRJC	Se99-Ju01	Explore ways to support the University of Minnesota D.A.R.E. Plus Project to combine targeted approaches and general prevention strategies with the goal of reducing health compromising behaviors among teens.
*SSPRJC	Winter 00	Provide funds to implement a year-around mentor program through Community Education in order to refer and support those who have participated in restorative processes, as appropriate.
*SSPRJC	Winter 00	Provide Community Education's Mentor Program with education & support for restorative justice principles & processes.
*SSPRJC	Summer 00	Refer participants in restorative processes, as appropriate, to the summer school drop-in center (Packer Pad) for 6 th -9 th graders to provide supervised, age-appropriate activities. This program is planned so that it does not interfere with summer school, make-up classes for junior high youth.
*Comm Ed	Summer 00	Link the activities at the Packer Pad with the mentor program.
*SSPRJC	Fall 99	Hire restorative justice, outreach staff who can meet community needs after school, evenings, weekends and summer.
*SSPRJC	Semi-An'ly	Provide recognition to participants who have promoted restorative justice principles in the community.
*SSPRJC	April 00	Purchase ad space to raise awareness of restorative justice processes & results (hockey arena, event program guides, etc.)
*SSPRJC	Fall 00	Design and purchase t-shirts, buttons or other item(s) to use during Restorative Justice Week in November.
*SSPRJC	Fall 00	Design a web site and link it to county, state and national web sites.
*SSPRJC	Ongoing	Refer parents and guardians to identified community organizations that offer circles of support.
*SSPRJC	Ongoing	Increase number of cases taken by the Restorative Justice Council.
*School	Winter 00	Hire community-based staff (not to exceed 40 hours/week) to help carry out the commitments in the Zones Plan.
X-SSPRJC	Ongoing	Research and develop restorative practices in schools and communities.
X-SSPRJC	Winter 99	Plan and implement a Justice Retreat to bring parents and children together in an intergenerational dialogue (racism).
X-SSPRJC	Ongoing	Participate in Community Justice Forums to share ideas regarding restorative justice
X-SSPRJC	Ongoing	Prepare user friendly documents for elementary & secondary schools to share ideas of the council with children & parents.
X-SSPRJC	Ongoing	Prepare materials for media to promote image of healthy restorative measures in the South St. Paul community.
X-SSPRJC	Ongoing	Create information for parents to support restorative measures
X-SSPRJC	Ongoing	Draft documents or delegate teams from the council (with student involvement) to continue publication or newsletters, pamphlets, position papers, and other resources.
X-SSPRJC	Ongoing	Continue educating public and council on critical needs of young people.

Responsible for the Process	Suggested Start Time	Goals, objectives & work plan outlining the tasks necessary to achieve each of the proposed objectives
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Increase diverse community involvement and build a capacity to reflect restorative justice principles and to provide restorative justice processes

*SSPRJC	DONE	Recruit members required by Community Justice Zones Project grant as Council participants. Write press release.
*SSPRJC	Ongoing	Recruit city council members, staff of Park and Recreation Department, community block clubs, Community Education, youth and business owners and invite interested people in surrounding communities to participate in the Council.
*Comm Ed	Winter 00	Hold a leadership retreat to prepare potential mentors to integrate skills such as trust, self-esteem, decision-making, etc. into their lives and lives of others.
*SSPRJC, *DCCC	Ongoing	Train more people to be keepers and FGC/ VOM facilitators including refresher training. Provide safety training for all volunteers.
*SSPRJC	Ongoing	Hold quarterly information sessions that introduce people to restorative justice principles and the circle process.
*SSPRJC	Ongoing	Prepare publicity for TV spots on local access and in newspapers about restorative justice principles and processes and the impact of circles. Have youth and their parents involved in circles help tell the story.
*SSPRJC	Ongoing	Participate in community events to promote restorative justice principles and processes.
X-SSPRJC	Ongoing	Involve "at-risk" students in Council opportunities by encouraging involvement through personal commitment and contact.
X-SSPRJC	Ongoing	Train block club coordinators and additional community members in restorative processes and encourage personal responsibility to use the processes in resolution among neighbors or in the workplace.
X-SSPRJC	Ongoing	Determine support needed to mentor those who are involved in restorative justice.
X-School	Ongoing	Support school initiatives in Restorative Planning and Restitution K-8 and encourage future expansion K-12.
X-School	Ongoing	Offer Restorative planners training opportunities which assist staff in creating conditions to address behavior in classrooms before escalating into violent, court referred actions.
X-SSPRJC	Ongoing	Network and conduct one-to-one discussions about restorative measures with a variety of representatives from families, faith communities, businesses, schools, governmental agencies, courts, and other civic organizations.
X-SSPRJC	Ongoing	Actively recruit community members for diversity in ethnicity, socioeconomic levels and all ages to participate in monthly Council meetings and restorative processes.

Responsible for the Process	Suggested Start Time	Goals, objectives & work plan outlining the tasks necessary to achieve each of the proposed objectives
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Develop the capacity to become financially stable.

*DCCC *SSPRJC	Fall 00	Begin the process of organizing a 501(c)(3) organization. With help from Dakota County Community Corrections obtain legal expertise from county professionals to become a non-profit corporation to accept tax-deductible donations.
*SSPRJC	Fall 00	Identify and train board members in business and risk management.
*DCCC *SSPRJC *School	Winter 00	Research and apply to private foundations, corporate-giving programs, etc. for potential financial resources.
*DCCC *SSPRJC	Winter 00	Explore public funding sources (county, state, federal).
*Courts	Ongoing	Explore ways in which courts could order payment of monies to the SSP Restorative Justice Council from offenders.

Increase flexibility for holding restorative processes in a neutral environment.

*SSPRJC	Se 99-Mr 00	Pay for facility usage when school and city space is not available.
*SSPRJC	by April 00	Rent office and meeting space for restorative processes, light, heat, power, water, phone, insurance. To minimize purchases, seek donations to furnish this space.
*SSPRJC	by April 00	Renovate the site in collaboration with Dakota County Community Corrections work crews.

Evaluate

*DCCC	Fall 99	Develop pre and post surveys and distribute
*DCCC	Fall 99 & Spring 00	Write up a report of the results Evaluation – Is community safer, have assets increased, is recidivism down?
*DCCC	Fall 99	Contract with an evaluator to evaluate circles and the Zones Project
*SSPRJC *DCCC	Jan 99	Develop evaluation tools in collaboration with U of M Center for RJ & Peacemaking and Gordon Bazemore at Florida Atlantic University.
X-SSPRJC	Ongoing	Measure victim satisfaction in a pre- and post-evaluation.
X-SSPRJC	Ongoing	Draw conclusions from data and share with council after each circle, conference or restorative measure.
X-SSPRJC	Ongoing	Create tools in council to evaluate measures which address affective needs

LEGEND

*Zones Objectives
X-DCFL & Bremer Grant Objectives

SSPRJC-South St. Paul Restorative Justice Council
DCCC-Dakota County Community Corrections

South St Paul Restorative Justice Council
Community Justice Zones Project Plan
Budget for July 1, 1999 through June 30, 2001

Revenue		
Dept of Children, Families & Learning		\$63,333
The Otto Bremer Foundation		60,000
SSD #6		203,000
Training Revenue		4,500
Community Justice Zones Project		60,000
To be Determined		<u>116,185</u>
Total Revenue		<u>\$507,018</u>
Expenses		
Salaries, Taxes, Benefits		389,300
Facilities		28,850
Equipment		
Print/Copy		1,312
Phone/Postage		1,312
Training		44,500
Supplies		1,312
Contracted Services		36,967
Travel		3,066
Other		<u>400</u>
Total Expenses		<u>\$507,018</u>

HASTINGS COMMUNITY JUSTICE WORKPLAN

VISION

The Hastings Restorative Justice Council is dedicated to serving the goals of the Community Justice Zone project through meeting, planning and implementing action items that will continue to be the mission of the council after the Zone project is complete.

MISSION

To develop and sustain community justice efforts in our community in order to reduce crime and increase public safety by:

- expanding our community faith-based mentoring program;
- creating a Community Justice Coordinator position to primarily focused on victim services and coordinating police restorative conferencing program;
- integrating School Based Restitution; and,
- to support restorative conferencing at the police level.

PROJECT WORK PLAN OUTLINE

I. Hastings Restorative Justice Council Operations

- a. Coordinator for HRJC
- b. Training
- c. Administrative Costs
- d. Case Costs
- e. Publicity

II. Proposed Action Items

- a. Community Prosecutor
- b. School Based Restitution
- c. Hastings Police Restorative Conferencing Program
- d. AMEN Mentoring program
- e. Case Facilitator from Community Corrections
- f. Case Review Team with Community Prosecutor

Budget Proposal for the Hastings Restorative Justice Council (HRJC)

Coordinator for HRJC

\$15,000.00

Based on \$15.00/hour for 1000 hours from 7/1/00 to 6/30/01 (which is almost 20 hours/week for 1 year). Ideally this position would be filled by a Hastings community member. Natalie Nelson, from Dakota County Community Corrections is currently functioning as the HRJC liaison/contact as part of her job. The community building liaison position Natalie is in, is funded by a grant from the Department of Children, Families and Learning. The grant ends 12/31/00.

Miscellaneous

500.00

(E.g. travel)

The Budget Oversight Committee is recommending that for continued approval of any monies, the Coordinator position above becomes a "mandatory" initiative. As the position will require a fair amount of outreach work and education, the miscellaneous amount of \$500.00 was added to cover travel costs, materials.

In addition to those funds, the Committee is recommending that the Hastings community receive an additional \$47,500.00 to implement the proposal initiatives below. While those initiatives total more than the dollars being allocated, the Committee would like to see the Restorative Justice Council independently determine how best they can utilize the dollars with the following guidelines and mandates:

- 1) The Board is recommending that the community "pool" the expenses of Training, Administrative Costs, Volunteer Recognition, Case Costs, and Publicity under one umbrella and consider a budget of between \$7,500.00 to \$10,000.00 for all of those needs.
- 2) No funding is being provided to the AMEN mentoring program due to its current progress and existence in the city. There is not a judgment that the AMEN program is not important, but rather that they have already received funding and are operational at this time. The proposal was to expand the program, yet, the Committee would like to see the other initiatives receive the funding as they are pilots that seem to have strong potential.
- 3) The proposal for the Community Justice Coordinator position was met with partial approval: fringe benefits should not be paid by the grant and might be covered as a Police Department cost/contribution, but the salary was approved. As a suggestion, the position name is confused with the RJ Council coordinator and could be changed to Community Outreach coordinator/person/worker. In addition, this person's role could be expanded to include other opportunities to integrate restorative principles with the police department, victims, offenders and the courts.
- 4) School based restitution and Restorative Conferencing for police were approved as proposed.

HASTINGS TOTAL RECOMMENDED FOR APPROVAL: \$ 63,000.00

The Burnsville Budget request was approved in full as is proposed.

BURNSVILLE TOTAL RECOMMENDED FOR APPROVAL: \$43,056.00

BURNSVILLE COMMUNITY JUSTICE WORKPLAN

VISION

The Burnsville Community Justice Zone members envision a community where there is a committed concern for others, where safety and community involvement are valued and everyone works to build trust and respect through being responsible and accountable to their neighbors.

MISSION

Develop and sustain community justice efforts in our community to reduce criminal activity, increase public safety and create a place where trust, accountability and true community exist for everyone.

PROJECT WORK PLAN

I. OPERATION J.O.L.T. - Juvenile Offenders seen in Less Time

Objective: To accelerate the time in which the juvenile appears in court from the date of the offense.

Value Proposition:

- 1) To hold the offender accountable for their actions in a more timely manner so as to increase the efficiency and effectiveness of the resolution.
- 2) To pursue underlying and/or ongoing issues with the offender in order to identify root causes of the behavior.
- 3) To provide the offender and his/her family with the resources necessary to enhance and restore positive, prosocial behaviors.
- 4) To provide the victim(s) with the resources necessary to recover their trust and safety with the offender, if appropriate, and within their community.
- 5) To restore confidence in the community with regard to the process of effective and appropriate justice.

BURNSVILLE COMMUNITY JUSTICE WORKPLAN

Assumptions:

- 1) Initially, all offenses with the exception of felonies will be "JOLTeD" unless the County Attorney's office diverts the case.
- 2) Court will be held every 2nd and 4th Thursday morning in Apple Valley beginning May 11, 2000.
- 3) If the County Attorney's office finds the case inappropriate for JOLT, that office will notify both Victim and Offender of the change in court date.
- 4) Enforcement will "count off" two JOLT court dates to set the court date for the offender.
- 5) Enforcement will notify the offender and family of the offender of the court date. In addition, the officer will record the JOLT date on the citation.
- 6) The earliest an offender would be seen is 14 days from the date of offense; the latest would be 28 days from the date of offense.
- 7) The County Attorney's office will continue to send Victim Notification Information to victims.
- 8) Burnsville Police will need staff to accommodate this pilot until June 30, 2001.

Budgetary Requirements:

The Burnsville Community Justice team is requesting funds totaling \$40,566.00 to cover the term of the JOLT pilot from May 1, 2000 through June 31, 2001.

This request is based on Burnsville's employee costs for an entry-level Secretary 1 position at \$12.79/hour, with a 3% estimated increase January 1, 2001, plus benefits.

This position will allow for the JOLT cases to be prioritized on a daily basis and processed within the two day timeframe necessary to support the design of the program.

This position will be responsible for all aspects of processing, reviewing, scanning, data entry, transcribing, organizing and disseminating of cases in a very timely manner to the County Attorney, the Court, and others as required.

BURNSVILLE COMMUNITY JUSTICE WORKPLAN

Outcome Measures

The J.O.L.T. project team is seeking to obtain quantifiable measures in the areas of:

- a) Reduction in time from arrest to accountability
- b) Reduction in time from arrest to disposition
- c) Reduction in time from arrest to collection of any mandated restitution
- d) Increase in Victim involvement in cases
- e) Monitor effect on recidivism
- f) Increase in communication between Community members, enforcement, corrections and courts
- g) Increase assistance to juvenile and family through necessary resources (i.e., Chemical Dependency evaluations).

Phase II

Once the JOLT operation has been implemented and any necessary variations to the process are made, the Phase II process of hearing juvenile felony cases would begin. The cost of implementing this process would be approximately \$2,500.00 to cover the expense of a fingerprinting unit required at the Apple Valley location, assuming that the JOLT court cases will continue to be held in Apple Valley. If it moves to Hastings, an extra machine will not become necessary.



II. SCHOOL BASED RESTITUTION

Objective: To increase the level of participation in the delivery and implementation of school based restitution as a method for conflict resolution and classroom management.

- Assumptions:**
- 1) To be successful in increasing involvement, school administrators need to participate.
 - 2) The program will need to be held in the summer months due to the cost of substitute teachers and staff schedule conflicts.
 - 3) Diane Gossen of Chesholm Consultants will lead the training programs.
 - 4) Burnsville will be collaborating with the Hastings RJC on the cost and delivery of the training programs.

Budgetary Requirements:

The CCAB Budget Oversight Committee has already approved an initial \$7,260.00 for these programs.

Outcome Measures:

To be defined.



OVERALL BUDGET REQUEST:

Burnsville Community Justice Zone

I. Operation J.O.L.T.	\$ 43,056.00
II. School Based Restitution	3,630.00*
TOTAL:	\$ 46,686.00

* This amount has already been approved; however, once implementation begins, the community may determine that more funding is needed.

ACKNOWLEDGMENTS

We set out to help tell the story of how circles are used in South Saint Paul. To do that we have talked with many victims and offenders, many who keep the circles, many who volunteer from the community, and many who work within the formal justice system. And we have also sat in circles and shared in the process of personal transformation and community renewal. Not all circles exhibit these qualities in any great depth; some, however, are simply profound witnesses to what is possible when a victim meets with an offender in the context of community. We could have interviewed twice as many persons and participated in a lifetime of circles and we would still never be able to tell the story of circles in its entirety. As in any intense human interaction, there are aspects which are not easily described with numbers or words. Some simply defy description.

We want to thank the South Saint Paul Restorative Justice Council for inviting us to study the circle process. Very special thanks are due Barbara Gerten, SSPRJ Community Liaison; Mary Leadem Ticiu, Restorative Justice Coordinator for the South Saint Paul Schools, and Stacy Elliott Sarff and Michael Stanefski, Restorative Justice Planners for the South Saint Paul Schools, for their patience and effort in helping identify possible study participants and for keeping us informed about upcoming circles. This study could not have been done without their timely help and insights.

We want to thank Ann McDiarmid with the Dakota County Community Corrections, the agency which funded this effort, for her continuous support, encouragement and assistance during the research process.

We want to thank each of the individuals who participated in this study for it is their collective story that we share. To those who spoke with us, to those who agreed to let us join them in circle, we say thank you.

We tried to enter each interview and each circle with respect for the people and for the process, and now we respectfully submit this report.

INTRODUCTION

"Circles" are currently emerging as a process and structure to enhance local community involvement in matters of justice. While viewed as an old way of including community members in dispute resolution, circles have been recently revitalized, if not repackaged, as another option within the developing restorative justice paradigm. Use of circles has generated considerable interest and a fair number of passionate adherents. Proponents speak of the "sacred quality," of the "power," of the "inclusiveness," of the "restorative nature" of the circle. Little descriptive information is available about how circles function to meet the purpose of restoring justice and how the circle experience is received by a variety of participants.

Peacemaking or restorative justice circles can take many forms and can occur at most any place in the justice process. Circles of understanding, healing circles (for offender and family, for victim and family, for offender, victim and community), sentencing circles and review of sentence compliance circles are just some mentioned in the literature.

Circles incorporate many of the components of justice reform efforts of the past decades: a strong emphasis upon local community member participation, making the circle community based; bringing victim and offender together in face to face interaction as does victim/offender mediation; and involving victim and offender family members and friends such as in family/group conferencing. And yet proponents of circles purport to do more by reaching back to Native American and First Nation traditions of doing justice which predate Western criminal justice, by explicitly empowering each individual in the circle as an equal, and by explicitly lifting up the relationship between justice and the physical, emotional, and spiritual dimensions of individuals in the context of community and culture.

In the United States, one of the oldest efforts to adapt circles as a restorative justice approach has been carried out by the South Saint Paul Restorative Justice Council (SSPRJC). Circles in South Saint Paul are of many types. There are application circles, circles of understanding, healing circles, support circles, agreement circles. Circles for conflict resolution are also used extensively in the elementary schools and in the junior high school.

This study uses a qualitative approach to describe the incorporation of restorative justice or peacemaking circles in South Saint Paul. The study was designed with the assistance of the South St. Paul Restorative Justice Council and Dakota County Community Corrections. Our purpose is to describe the nature of circle work and how participants perceived the impact of circle on themselves, their community, and the formal justice system.

Data were gathered during an intense six week period. Interviews and observations occurred sporadically throughout the day and evening and took place on ever day of the week. A total of sixty-two individuals were interviewed. These included fifteen victims/family members, fifteen offenders/family members, eight circle keepers, seventeen community representatives, and seven individuals who worked within the formal justice system. Thirteen circles were observed.

EVALUATION OF
SOUTH ST. PAUL "CIRCLES" INITIATIVE

Executive Summary

**RESTORATIVE JUSTICE CIRCLES
IN SOUTH SAINT PAUL, MINNESOTA**

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September 1, 2000

KEY FINDINGS

Typical Case Referred to SSPRJ

- Misdemeanor
- Pre-charge
- Referred by police
- Juvenile

Circle Participation

- Circle participants include victims and family members, offenders and family members, community representatives, circle keepers, and often individuals from the formal justice system.
- Participants choose to participate in a circle in order to express their feeling about the incident, their desire for the offender to take responsibility for his/her actions, and concern regarding the future relationship between victim and offender.
- While two-thirds of victims and offenders initially felt uneasy entering a circle, three-fourths reported feeling comfortable speaking in the circle. They attribute the change in feelings to the opening words of the circle keeper and the use of a talking piece which gave them an opportunity to speak and to listen without interruption.
- Participants indicated that circle keepers needed to be focused and organized, nonjudgmental, good listeners, compassionate, respectful, patient, clear regarding ground rules, and understanding.

Circle Process

- "We are human and human beings make mistakes and it's okay to make mistakes. Circles have a chance to fix those mistakes in a good way."
Circle Keeper
- Typical length one and half to two hours.
- Most cases require three or more circles.
- Number of participants quite varied, but typically involve ten or more persons.
- Circle keeper will open circle thanking people for coming and explaining

why they have gathered. A talking piece is used giving each individual an opportunity to speak without interruption. Focus of a circle usually moves from hopes for the circle, to the incident or conflict and feelings about it, to amends, to the future.

- A follow-up, check-in circle is usually held at a time after the offender has had an opportunity to make amends.

Impact

- "In the circle you can't turn and run," said the sister of an offender. A mother of a victim reported: "I was able to let them know the impact of what they did; the continued fear of invasion of what was going to happen next." A second grader who had been bullied on the playground: "They apologized. The last three days there were no fights!"
- Most important outcomes for participants: That the offender had an opportunity to accept responsibility and to be held accountable; focus on future relations between victim and offender; the opportunity to express feelings about the incident; awareness of support from the community.
- Participants reported liking best: connection with people in the circle; changed attitude and behavior; telling one's story and listening to others; and the chance to help other people.
- Participants reported liking least: the circle process requires too much time and sometimes people talk too long.
- Victims and offenders would recommend the circle process to others in similar circumstances.

PROGRAM DEVELOPMENT ISSUES

As other jurisdictions and communities consider adapting restorative justice circles, a number of program and policy issues arise from this study which should be considered.

1. The centrality of shared values. We cannot overstate the emphasis placed within the SSPRJ on values. Any group embarking on developing circles for whatever purpose will want to take time to explore who they are, what values shape them, and which values will most likely define their work within the context of circles. Whether the values are numerous or whether limited to only a few such as love, respect and trust, they need to be made explicit and named on a regular basis. In South Saint Paul, values are often seen printed on pieces of paper lying on the floor forming a circle within the circle of humans, or at times they are listed on a wall chart, but they are present. Some would contend that shared values are the "lifeblood" of circles.

2. Broad based support and involvement. The South Saint Paul Restorative Justice Council is comprised of individuals who have a long history of involvement in the community activities as well as folks who are relatively new to the community. Most Council participants are also engaged in the faith communities of South Saint Paul and bring with them a degree of church institutional support. Several key criminal justice decision-makers are active in the Council. Leadership within the Council also can be traced to the school system. Retirees, laborers, business owners, and professionals are active in the work of the Council. Individuals from nine to nearly ninety were observed speaking and being heard in Council planning meetings. Much of the strength of the circle, it is argued by some, derives from the diversity of its participants. It is a cross-sectional slice of the community. At its best, the circle is a gathering of folk with a shared focus.

3. Time. Any group seriously considering adopting circles as a way of dealing with conflict must be prepared to make a huge commitment of time. It takes time to build the relationships required to explore the nature of conflict and its causes. It takes time to sit in a circle and listen to the stories of its participants. Nearly everyone in this study indicated that the time commitment involved was a downside to circle participation. Many of these same folks stressed the importance of making and taking the time.

4. Involvement and burnout. Given the intensity of circle work, both time wise and emotionally, it is not reasonable to expect that the same individuals will work with every case or even with every circle in a given case. A continuing concern, then, is recruitment of new participants. The introduction of new members underscores again the continuous need for discussion of those values which define the group and shape its work.

5. Equality of the participants. Central to circle work is the heartfelt belief that all individuals in a circle are equal. That belief is translated directly into mutual respect, the opportunity for each person to speak, and the responsibility to listen openly to everyone. We found no one in this study willing to dispute this core belief. However, the translation of the belief into words is often made in a way that some find demeaning. A fairly common refrain heard was "there are no experts here; each person around the circle is equal." This was most often understood as a criticism of professionals, particularly those involved in the justice system. But as we discovered in interviews, it was sometimes taken by those without professional degrees as a poorly veiled way of making them feel okay about being there. The irony was pointed out that those making these statements were most often professionals themselves, but in a different context. And some respondents within the Council expressed fear that a new status was emerging: circle expert.

Groups desiring to work with circles will need to decide for themselves how best to speak to the central equality of the circle without putting anyone down. It occurs to us that an affirming alternative way of speaking of this equality is to acknowledge that all sitting around the circle are indeed experts. For each sees the world, conflict and conflict resolution through a particular set of life experiences. Each, whether nine or ninety, whether a Ph.D or eighth grade certificate holder, whether a laborer or a professional, has wisdom to share within the circle.

6. Preparation. A group considering adapting circles for victims and offenders to resolve conflict will need to give thought to how much preparation they believe is desirable with the participants before bringing them together in the same circle. It will be important for new circle initiatives to examine the important

role that in-person preparation of victims and offenders has played over the years in making other forms of restorative justice conferencing (such as victim offender mediation) more victim sensitive, as well as offender sensitive, through clarifying expectations and minimizing pre-conference anxiety. It may be helpful to remember that some who have been involved in circles in a wide variety of communities believe that preparation, adequate or inadequate, can make or break a circle.

7. Follow-up. In order to have credibility and integrity within the community and with the formal justice system, a group doing circle work will need to take seriously follow-up to agreements made in circles. Did the offender follow through with the expected community service or monetary repayment? It may be important in some situations for individuals to come back together in a circle to affirm or celebrate the completion of an agreement. Some victims ask why this is needed.

8. Decision-making by consensus. There was no more heated or troubling issue facing the SSPRJJC during the course of this study than the issue of consensus. In practice, in a given circle when the talking piece is passed one last time to determine if everyone accepts the proposed agreement, verbally declaring acceptance one by one can be very powerful. Yet there are situations where consensus cannot be reached easily and this is where explicit expectations regarding consensus as a decision-making process must be clear and shared. In this study, individual after individual indicated that consensus "doesn't mean I necessarily agree with the decision, but it means it is a decision I can live with." "Consensus emerges from the dynamics of living together," said one respondent. "One must often give up something to have consensus."

9. Auspices. No doubt many groups contemplating getting involved with circle work are already existing entities. Nonetheless, auspices under which the group works is important in numerous ways including philosophy, funding eligibility requirements, and record keeping

10. Training. Council members in South Saint Paul spent eighteen months gathering information, going through training programs, and planning before considering a case. In the long run, experience with circles will provide a group with the best grounding for further shaping and refining approaches that best meet their own needs and match their own skills. Short of that kind of experience base, training is imperative.

POLICY ISSUES

1. Types of cases most appropriate for circles. There was really little agreement among the study respondents as to what type of offenses were most appropriate for circles to deal with. Officials from the police department and the county's attorney's office were most concerned about avoiding significant risk to the public. Cases involving assault, violence, and sexual assault would not be appropriate in their view. As noted in the beginning of this report, most of the cases handled by the Council were misdemeanors and low severity felonies. Others in the study would eliminate few if any offense categories from possible circle work. The judge would not see circles handling sex offender or murder cases. On the other hand, corrections staff suggested that circles would be particularly useful with sex offenders returning to the community.

There is widespread agreement among Council members and system administrators that circles may work

best with "messy cases." These include situations where the level of crime may not be particularly severe, like destruction of property, but where there are a large number of offenders or victims; or circumstances where the offender is too young to expect much response from the formal system; or in cases where the community is the direct victim; or in situations where it is difficult to differentiate victim from offender.

Others suggest that a key variable is remorse or the lack thereof. These persons contend that an offender who admits guilt but displays little or no remorse is a prime candidate for circle processing because of the presence of the community helping to tell the story of the impact of crime is much more likely to trigger remorse than standing before a judge or simply paying a fine.

It is important to note that Judge Barry Stuart, the pioneer of circle sentencing in the Yukon, works primarily with quite serious cases involving multiple recidivists, suggesting that the extensive time and resources required for peacemaking circles are primarily warranted in such cases, rather than very minor cases involving first time offenders that are diverted from the justice system.

2. Location of circles within the justice process. Any group undertaking circle work in the context of the justice system will need to work out where circles best fit in the over all justice process. This will likely vary from jurisdiction to jurisdiction and community group to community group. Although no one in this study suggested it, one could certainly make the case that given the labor intensive nature of circles it be saved for the most difficult cases - that does not mean the most serious offenders. Most of the Council participants in this study seemed comfortable with handling diversion cases and focusing almost exclusively on juveniles. There was a strong sense of commitment to the young people of South Saint Paul which carried over into the work with circles. The possibility that diversion programming is a way of widening the net to involve offenders in the system who would not otherwise be in it did not arise as a matter of concern.

Most of those interviewed were not particularly enamored with the notion of circle sentencing per se. They saw circles as being extremely beneficial in a number of ways: as circles of understanding, healing, agreement, and support.

There was widespread agreement - this is one of the few areas on which all the system decision-makers agreed - that circles offer a tremendous potential reservoir of resources to individuals transitioning back into the community from institutional living. One system person noted that circles could be very helpful in supporting level three sex offenders coming back into the community: "The community can see that the person has a human face and the person will know that the neighbors are watching and are prepared to help."

Use of re-entry circles for offenders leaving prison and returning to the community, including sex offenders, appears to be one of the most underutilized, yet promising, applications of circles.

There are also those in the Council who would prefer not to deal with "cases" within the criminal justice system, but rather to deal with conflicts which naturally occur within the community. These persons contend that circles are best suited to deal with conflict stemming from the "isms:" racism, sexism, classism and so on.

3. Place of circles within restorative justice options. Most of the individuals connected with the SSPRJ were aware of other restorative justice options such as victim offender mediation and family group conferencing. Some had been trained in these other approaches as well as in circles. While some persons thought circles was the best option for every one, we asked, "given limited resources in terms of money and labor, how would you use the three restorative justice options about which you know the most?"

Victim offender mediation was usually referred to as the most desirable option if the offender was remorseful and fairly open with feelings, or if restitution was a primary goal. The community was represented in the presence of the mediator, often a volunteer.

Family group conferencing was often referred to as too scripted, but when respondents were pushed to say more, it was seen as valuable for people who were alienated or alone and needed fairly long term support.

Circles, as indicated above, were the option of choice in cases when the whole community is impacted or in situations where the offender admits guilt but is not remorseful. Circles are strongest at bringing community presence to bear in terms of long term support as well as a vehicle for communicating a community's loss and pain.

Several respondents noted that these options blur and overlap in given cases.

CONCLUSION

There is no question that the people making up the SSPRJ - young and old, non-professional and professional, non-system and system - are an extremely committed and dedicated group of individuals. The willingness to contribute hours and hours to the work of circles, to the ongoing discussions of the nature of a workable relationship between the Council and the formal justice system, and to the continuous sorting out of values and their meaning for the group is uncommon. Many community based groups have imploded in the face of much less intensity. So what can we conclude is the potential of all this effort?

Potential impact on the formal justice system. Because of the sheer volume of individuals annually processed through the formal justice system, it is unlikely that the circle process as practiced in South Saint Paul will have a measurable impact on that flow. The strength of the circle is making time for community members to help victims and offenders sort out complex underlying issues. Whether one chooses to focus on diversion cases, or serious cases, or transition cases, the number of cases dealt with will be determined by the complexity of cases and availability of volunteers. Potentially, more cases could be handled by streamlining the circle process, but at some point a group will risk simply going through the motions to increase its caseload. And still it likely will not be able to handle enough cases to impact the huge numbers going through the system.

Circles conducted by community groups offer the justice system an additional intervention option and certainly may be very significant and desirable in certain cases. At this point, it appears that system decision-makers are trying to sort out how best to use the limited resources which circles provide. Circles are becoming one more option within the justice tool kit. The question remains where does any given

formal system want to use those resources: prevention, diversion, court processing, corrections programming, or transition from institution to community?

If councils were active in every neighborhood as some proponents envision, would they then have substantial impact on the formal justice system? Possibly. Such impact might possibly occur because of prevention efforts undertaken at the local neighborhood level and because of the increased awareness of community members regarding the workings of the formal justice process. But such widespread impact appears quite wishful for now.

Does this mean that circles have no place working with individuals caught up in the justice process? Absolutely not. Their potential impact is considerable.

Potential impact on victims and offenders. The data gathered in this study support the contention that restorative justice circles can have positive impact on individuals. Whether or not circles can process large numbers of people, they can have tremendous impact on those who do go through circles. Victims felt supported by the community and welcomed the opportunity to participate meaningfully in the justice process. Offenders were a little more mixed in their responses. While some saw the circle process as one more hassle in their lives to be endured, others were encouraged by the acceptance they felt and were pleased to make some attempt at repairing the harm they had caused. And of course the ultimate testimony came from two offenders who claimed that circles had "changed their lives."

And for people engaged in circle work, a single transformed life justifies all the time and emotional energy given to the process.

Potential impact in the community. The potential of circles for having positive impact in the community, it seems to us, is quite substantial. Repeatedly, participants in the SSPRJJC attest to the merits of restorative justice circles in the local community. Justice, for these individuals, has become a personal matter. Crime happens in communities and somehow communities need to be involved in responding to law violation. The Council is a place where community members learn directly from formal justice decision-makers about crime and society's traditional responses and it is where these decision-makers hear how at least some constituents react to crime and the competing values underpinning justice.

Council participants have strengthened their own sense of being part of a community and of sharing responsibility for what happens in its boundaries. The sense of community pride is quite evident as we talked with these individuals. And there is pride in being able to point to a group of youngsters on the street, call them by name, and have them respond. There is a desire to be part of something that makes a difference and for many of our respondents that desire has been met by participating in circles. As one circle keeper said, "I don't know everything about working with kids. This is just one guy's experience. But I haven't found anything better yet (than circles), and it's not for the lack of looking."

In South St. Paul, restorative justice circles in the schools present a most promising use of circles. The school is a community within the community. It has the responsibility for educating the youth of the community. That education takes place in classrooms, on field trips, on athletic fields, on debate teams, in music halls and numerous if not countless other places. In South Saint Paul that education also happens in the give and take of circles. Elementary students learn something about problem solving methods -

approaches which may contrast with those they have witnessed at home. Students have a place to go when they feel intimidated, alone, and hurt. Teachers have another option for working through conflict before it explodes in the classroom making teaching difficult if not impossible. Staff have another way of sorting out differences and weighing decisions which affect everyone in the building.

How many fights are prevented? How many students feel better about themselves and their school? How many parents feel more connected to the school system which intimidated them when they were young? How many young people did not cross over the line from participating in a prank to participating in a crime? How many hours of teaching have been saved by reducing tension and conflict? Answers to these kinds of questions are difficult to obtain because we are dealing with the notion of prevention. Data gathered by the school system are promising. What we will never know, of course, is did giving students more stake in their school including working out conflict with each other and with teachers prevent a catastrophic act of violence? What we do know is just as the potential for violence is present within a school so is the potential for reducing factors that contribute to violence.

A quest for balance. South Saint Paul is a very homogenous community. It has strong communal roots. Some would complain that these roots are eroding. Others desire to adapt to the change and influx of new residents while building a stronger community. The question remains: how will restorative justice circles function in more diverse communities and neighborhoods? We expect that the answer to that question depends on how well diverse communities are able to balance interests. The restorative justice circle is, to a large extent, about balance. It attempts to balance justice to include the interests of victims as well as offenders along with those of the broader community. It attempts to balance the interests of justice professionals with those of community residents. It attempts to balance a vast array of values some of which are in tension with each other. It attempts to balance heritage.

The notion and feel of balance in the SSPRJ can be found in the value triangle of love, law and learning. It is also found in the circle which is continuous with only temporal beginnings and endings. The Council has adapted and continues to adapt the circle process in ways that best fit its own community. For example, some groups who adapt the Native American talking circles to restorative justice will smudge at the beginning of each circle. The SSPRJ began following that practice but has discontinued smudging because it does not fit their own heritage. Other communities will also have to make choices about what fits and what can be added. They will decide how their own diversity can best be integrated into the work of circles. Their own values may look somewhat different. The symbols adopted from community to community for talking pieces and centerpieces may look dramatically different. Again, as Judge Stuart suggests, it is imperative that the circle process be flexible to the vision of each community (Stuart, 1996).

There is no lockstep restorative justice circle method to be followed. There is a "way." There is a frame of mind and an openness of heart which discovers how best to proceed in a particular context. It is the lack of an ironclad set of rules for doing things and the dependence upon discovery which frightens some observers. Yet it is this openness which sparks creativity and fresh insight. Perhaps the most important reoccurring challenge for those engaged in restorative justice circles is reaching a tenuous, respectful balance between the need to be focused on doing the work of the circle and the need for discovery, for being the circle.

**J.O.L.T. (Juvenile Offenders Seen in Less Time)
A CASE STUDY**

J.O.L.T. (Juvenile Offenders Seen in Less Time) was developed by the juvenile court judges as a demonstration effort to meet the need they identified to speed up and increase accountability in the response to first-time juvenile offenders in Dakota County.

The assumption is that the sooner the juvenile and family appear in court, the more responsive the judicial system can be to the juvenile and community. Consequently, this immediate intervention is anticipated to have long-term impact on preventing recidivism.

This case study examines J.O.L.T. in an attempt to reveal its potential strengths and weaknesses as a component of juvenile court redesign and community justice as part of the Community Justice Zone project..

Part One of this study is a transcript based on observation and analysis of the J.O.L.T. process in response to several cases conducted by local evaluator Patricia McGinnis. This assessment focuses on the strengths and greater potential of this new program, and makes general recommendations for improvement within this program's current structure.

Part Two of the case study is based on an analysis of this material and case review and examination by the outside evaluator. This portion assesses within the context of community and restorative justice goals and principles, and also, within the context of national best practice research and literature on effective intervention. Based on this assessment, broader recommendations for program restructuring are suggested and general suggestions for new programmatic efforts are proposed that are directly related to larger Community Justice Zone project goals and community and restorative justice principles.

**Part One: J.O.L.T. Pilot Project (Juvenile Offenders seen in Less Time)
Observations by Patricia McGinnis, Evaluator**

On May 11, 2000, nine offenders, referred by Burnsville police to J.O.L.T., were seen in court within fourteen days of their offenses. Cases included criminal damage to property, careless driving, fifth degree assault, and status offenses. On the second day of J.O.L.T., May 25, 2000, seventeen offenses included: shoplifting, trespassing, speeding, marijuana use, disorderly conduct, dangerous weapon, giving false information, selling tobacco to a minor, and status offenses.

As this writer understands the goals of J.O.L.T., they are 1) to address underlying issues affecting the behavior of a juvenile, going beyond the particular offense that brought the juvenile to court; 2) to share resources and information among schools, courts, social services, corrections and the wider community; 3) to be responsive to the needs of the juvenile, his or her family, the victim and the community through expedient intervention; and, 4) to reduce, over the long term, the recidivism rate.

Although J.O.L.T. is an expedient, offender-centered response to crime and is not voluntary, it offers opportunities for more active involvement of offenders and victims in meeting their needs, and it reflects the value statements defined by Mark Umbreit for Restorative Justice processes. (Minnesota Restorative Services Coalition's *Recommended Ethical Guidelines for Restorative Justice Practices*). These are:

- To offer support and assistance to victims and to restore their emotional and material losses (to the degree possible)
- To hold offenders directly accountable to the people and communities they have violated, while offering opportunities for competency development and reintegration into productive community life
- To provide a range of opportunities for dialogue and problem solving among interested victims, offenders, families and other support persons
- To strengthen public safety through community building

Restorative Justice involves victims, offenders and communities. The following are examples of situations, quotes and observations reflecting how the J.O.L.T. process serves these stakeholders.

Restoring victims is an important component of the J.O.L.T. process. According to an interview with Judge McManus who initiated J.O.L.T., "The victim's input is as important as any other factor the court considers." Patricia Rettler, Public Defender on the J.O.L.T. committee, believes their evaluation will have a victim satisfaction component. Program staff are striving to be responsive to victims' needs.

- Community Corrections and the County Attorney's office have attempted to contact the victims of cases being brought to court. Victims are asked about their experience and how to right the wrong done to them. When possible, the victim's losses are determined and their interest in meeting with the offender is explored. If a victim would like to be in court and/or meet with the offender, a volunteer is available to facilitate a conference.
- A woman was assaulted by her own child. She was in court without her daughter who refused to get out of bed. The judge was very calm and gentle when addressing the victim. He asked her what she wanted him to do.

- A repeat trespassing offense brought the Director of Burnsville Center Security to court. As the representative of victims, he was brought up to talk to the judge at the same time as the offender and his father. The victims needs were considered in the consequence.
- For a shoplifting offense, a volunteer was asked to call the store and find out if the offender could do community service for them. The victim did not want the offender on the property. He requested a letter of apology and offered to meet with the offender for a conference. This information was reported back to the judge.
- A high school girl was assaulted by a peer. The victim came to court, but the offender did not. A warrant was issued for the offender and the judge extended an apology to the victim. He gave her choices about future involvement. The mother of the victim wanted her daughter to be part of the proceedings and to meet with the offender.
- Two out of four victims returned calls from Corrections regarding a careless driving offense. The victims said the officer had directed the offender to return their garbage cans and pick up the garbage. The judge wanted to know if there was any work the offender could do in the victim's neighborhood, such as mowing grass for an elderly person. The volunteer was unable to contact any of the victims during the court time. Fifteen hours of community service was assigned in a Burnsville park. The judge wanted the victim to know it would be taken care of within one week.

Restoring and educating offenders is another important element of the J.O.L.T. process. Initially, the judge has offenders focus on restitution for the harm they have caused, so they can take responsibility for their actions, then put this situation behind them. Examples of restitution include paying fines to the Victim Fund, doing community work service, or writing letters of apology. Educating offenders about rights, responsibilities, the law and natural consequences for breaking the law may involve losing a driver's license, being on probation, establishing a baseline for chemical use and random testing for drugs.

In assisting offenders in competency development, the judge encourages the young people in court to ask questions if they don't understand any part of the proceedings. They are directed to show respect through their language ("say 'yes' instead of 'yeah'"), dress, ("tuck in your shirt"), and attitude. They are reminded of the importance of keeping appointments and hear about the effects of drugs, alcohol and tobacco. They are told smoking and drugs are an escape not a solution.

The judge "coaches" the offenders to change their behavior by:

- Telling them they can change and can set goals for themselves. "Go to college and get a degree, or get a job."

- Asking the offender to explain what happened and why, then listening carefully to the response.
- Forgiving an offender when he said he was sorry for chewing gum in court.
- Telling a public defender that an offender is ready and willing to talk about the situation.
- Explaining how to write a letter of apology, including why the harm committed won't be repeated.
- Telling an offender, "You are not a bad kid, but you have made a bad choice and got yourself into a situation with the wrong kids."
- On a disorderly conduct charge, a male offender was given a second chance. He already had a felony and had not finished his community work service. The judge empathized with the boy's frustration over racist remarks directed toward him, but said, "I don't like fists. You could punch the person, but it won't help. You have to walk away when it happens again."
- Voicing genuine concern for the lives of the young people in court. For example, after taking a driver's license away for a month, the judge allowed a senior to drive to his prom. He asked him what he would be doing after graduation. Then told him, "Invest in yourself. I hope you do well. Take care of yourself."

This genuine concern for the lives of young people continues through exploration of the underlying issues affecting the juvenile.

- A sixteen-year old female was in court for smoking. The judge asked her, "Why can't you say, 'no' to your friends? What is wrong with your life?" Far more serious issues than smoking were revealed. The young person said she doesn't know her father, she was in counseling, and has been suicidal for five years. She was going away for one year for treatment.
- Since a male offender missed his appointment in court, regarding a third smoking offense, the judge called the school and had the liaison officer bring him. In exploring what else was going on in this young person's life, he divulged several high-risk behaviors including the act of choking himself to get a high. He also said he had been depressed for a long time. The judge ordered a psychological evaluation and a chemical dependency evaluation.
- A female offender charged with fifth degree assault not only needed anger management but it was discovered she was frequently using marijuana and was truant on several days.

Restoring the damaged community as soon as possible is a priority. Community work service is to be done within two weeks in the community where the harm was done. For example, the judge denied an offender's request to do community work service in his home community rather than in the Burnsville park that was damaged. In another case, when a fight occurred on school property, it disrupted the education process for the other students. Community work service at the school was ordered.

Recommendations

As J.O.L.T. continues to expediently address the needs of victims, offenders, their families and communities, I recommend the following:

1. Post directions for separate victim and offender check-in
2. For the safety and comfort of victims, arrange a separate waiting room
3. Designate space for Corrections' volunteers to make phone calls, hold meetings
4. Provide phone books and a Dakota County Directory of services and staff.
5. Allow volunteers to meet with the judge in chambers before court - make introductions, find out information s/he hopes to have at the time of the hearing
6. Police officers record day time phone numbers of victims so they can be contacted during court, if necessary
7. Try to involve more victims in court and/or in conferencing.
8. Bring in school officials when dealing with truancy, students' fights, etc., so valuable information can be shared among courts, probation, teachers and counselors
9. When there are a large number of cases, assign a second public defender
10. Maintain the confidentiality of the proceedings, keeping victims and offenders out of the courtroom until their case is scheduled
11. Require parents to be present with minors

Future J.O.L.T. plans known to evaluator:

1. Rather than starting court at 9:00 a.m., begin status offenses at 8:00 a.m.
2. Include felony offenses by July 1, 2000
3. Design an evaluation process (J.O.L.T. Committee)
4. Schedule pretrial hearings and possibly trials in Apple Valley, not Hastings.

Respectfully submitted,
Patricia M. McGinnis
June 2, 2000

Part Two

Concerns and Recommendations: An Outsider's Perspective on JOLT

By Gordon Bazemore, Ph.D.
Community Justice Zone Project Evaluator

The JOLT program is a fast-track accountability program for first offenders based on two core principles: swiftness of response and aggressive censure of juvenile offender behavior. The premise is that taking early offending seriously by personal and authoritative disapproval by a judge will prevent future offending by making offenders and their parents aware of future, more serious consequences of such behavior, and to some degree also help crime victims and increase awareness on the part of offenders of the personal harm they have caused to others.

Though swiftness of response is certainly desirable in a response to crime based on community and restorative justice principles, speed is not the only dimension of importance. Of most importance is the emphasis on understanding and identifying the harm done, getting input of all stakeholders into how to repair this harm, and then following through with this obligation to crime victims and community to "make things right." Moreover, swiftness and even certainty of response are of no real value if indeed the response *makes things worse*. For example, if the offender perceives the process as unfair and demeaning, he/she may adopt a defiant stance, and for these or other reasons, actually become more, rather than less likely, to re-offend. Indeed, a large body of research on early intervention programs based on "shock" or "threats" such as Scared Straight and similar models indicate that such approaches are counter-deterrent.

What is important is the commendable intent of JOLT to take crime seriously and hold the offender accountable in a meaningful way. Experience shows that crime and harm are more likely to be taken seriously by offenders and their supporters when the harm is described by those who were actually hurt, and when its seriousness is presented by those who matter personally to the offender (Braithwaite and Mugford, 1994; Umbreit, 1999). Holding the offender accountable in a meaningful way is more than simply imposing consequences and threats of additional consequences. Rather, accountability means that the offender *takes responsibility* for making things right with those he or she has harmed. From this perspective, what appears to be missing in the JOLT program are two primary components: 1) involvement of victim, offender and their supporters in decision making about the response to crime, and 2) a focus on accountability for repairing harm caused to victim and community.

Although strong censure or disapproval of criminal behavior is certainly an important part of restorative justice, such disapproval is most effectively communicated by those who matter most to offenders—not by judges, probation officers or other system professionals. Censure must be expressed in a way that distinguishes disapproval of the crime from shaming or stigmatizing the offender. Censure also must define offender accountability in a concrete way, as an obligation to victim and community with the goal to repair harm and rebuild connections. Although JOLT seems to clearly emphasize community disapproval of youth crime, the disapproval is not generally expressed by community members [as it is in conferences or circles, for example]. At times it appears that accountability to the victim may be easily confused in the offender's mind with accountability to the judge. Indeed, when community and victim participation is excluded or kept to a minimum, the focus of accountability will almost surely be on the criminal justice professional. Though the program attempts to involve victims in the court process, victim participation does not appear to be strong. In the opinion of some restorative justice practitioners, such as Judge Barry Stuart, the court is perhaps the least well suited of any setting for facilitating meaningful victim and community involvement.

For advocates of the JOLT program, adherence to community and restorative justice principles may be of little concern. From a practical perspective, however, it appears that the program has yet to achieve one of its major objectives -- parental involvement in the justice process. Here again, the effective track record of conferencing and circles in involving both parents and other supporters of victim and offender provide a good standard of comparison. Regarding re-offense rates for the JOLT program, it is still too early to tell. Yet, a number of characteristics of the program are inconsistent with the principles of effective treatment (Andrews and Bonta, 1994), and as mentioned above, the evaluation track record of similar programs (e.g., Scared Straight; Truth or Consequences, Shock Probation) is not a good one.

In summary, though there is promise in the JOLT program's effort to enhance early accountability, it might be better structured as a conferencing program that maximizes family, community and victim involvement. Bend Oregon's "Fast Track Accountability" diversion program for shoplifters and youth accused of vandalism provides another effective model. In "Fast Track Accountability," offenders meet before a panel of business owners affected by their crimes and are by these victims and victim advocates required to make restitution and community service.

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SCHOOL BASED RESTITUTION PROGRAM

In the school setting, the behavior of children and teens contributes to, or detracts from, the overall learning environment. Many teachers say that discipline is the most challenging part of their jobs. School-based restitution is a way of viewing discipline or behavior management in terms of problem-solving and strengthening the person, which leads to self-discipline.

Schools which focus on restitution create an atmosphere where children hear the message, "It's OK to make mistakes....learning to repair them is the important thing." Teachers learn to respond to classroom problems as a manager of restitution, rather than as a punisher. Instead of doing something TO the student, where the teacher takes responsibility for the behavior, in a school restitution program the teacher does something WITH the student, letting the student take responsibility for the behavior. As a manager of restitution, the teacher helps students examine their own actions and decide a way they can repair their mistakes.

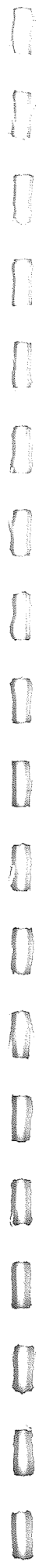
For instance, a punisher might humiliate a student in front of the class in an attempt to shame the student into better behavior. A manager of restitution would help the student decide to tell the person they offended something nice.

A punisher might slap the student's hand. A manager of restitution would help the student decide to clean the wall during recess and start a scrapbook for doodling.

A punisher might send the student to the principal for punishment. A manager of restitution would help the student make a plan to do better -- one that focuses on respect, kindness and caring.

Because everyone makes mistakes, an important life skill is learning to repair them. Youth are strengthened by the chance to make restitution AND to help decide how to make it.

At several Burnsville schools, teachers and other staff have received training in how to transform their responses to children's behavior problems into restitution-based interactions. Throughout the school, the children are hearing this consistent message from all teachers and staff, which is helping children learn how to manage their own actions and impulses. Preliminary data indicates fewer incident reports at these schools after putting the school-based restitution methods to work.



**PARTIAL LIST OF WORKSHOPS, CONFERENCES
AND TRAINING SESSIONS**

1. 6/99: Gang and Violence Prevention , introduction to circles and introduction to the CJZP trainings were conducted this month.
2. 7/99: Community Corrections in collaboration with the University of Minnesota and the DOC hosted a special presentation by Chief Constable Charles Pollard from the Thames Valley Police Department in England. Chief Pollard is one of the leaders in the restorative justice movement in Britain, having implemented restorative justice practices throughout the entire Thames Valley region.
3. 10/2-6/99: Circle training conducted by Mark LaPointe and Harold Gatensby from the Yukon
4. 10/5-6/99: Circle Keeper training in South St. Paul
5. 10/9/99: The "kick-off" Community Justice Zone Project workshop was held. Twenty four people participated in the workshop which was designed to introduce the three communities to the project and start the action planning.
6. 10/12/99: Hastings Forum
7. 10/21-23/99: Restorative Conferencing basic training in Burnsville. 11 Burnsville community and staff members and representatives from other CJZP communities attended.
8. 10/23-24/99: Circle Keeper training at the YWCA
9. Ann Warner Roberts was an invited presenter at the third International Conference on Restorative Justice for Juveniles, held in Belgium. She discussed recent Restorative Justice research in the US, community building projects being initiated in Dakota County and using a needs led approach to deliver services to victims, offenders and communities.
10. 10/26-28/99; 11/2,4,9,11/99: Star Tribune "Dialogues on Youth Alienation"
11. 10/99: Dan Johnson, Burnsville Police Department, conducted a training for the Burnsville Community Justice Council on the juvenile justice system. Stephanie Haider led a discussion about community justice and values.

12. 11/2/99: Ann Warner Roberts co-facilitated a workshop with Tony Marshall at the Restorative Justice Consortium Annual Conference in London, UK, on the definition and characteristics of community and the importance of community to Restorative Justice philosophy and principles.
13. 11/16-18/99: Circle Training with Phil Gatensby from the Yukon
14. 11/23/99: Community Roundtable facilitated by Jean Greenwood, Consultant, on her curriculum for introducing restorative justice to faith communities.
15. 11/28/99: DOC sponsored Restorative Justice Evaluation meeting
16. In Fall, 1999, Kaposia Education Center and Lincoln Center, South St. Paul, have established monthly study circles to discuss success and challenges of restorative measures and restitution concepts.
17. 12/10/99: Public Health "No Bullying" workshop
18. 1/00: Zone presentation to Hastings High School by Natalie Nelson, Circle Coordinator
19. 2/00: A 5-day restorative justice training for juvenile service providers in the state was conducted and sponsored by the Department of Corrections. The goal was to introduce programs and communities to the philosophy and values of Restorative Justice as well as to provide a comprehensive overview of community building, systems change and Restorative Justice practices.
20. 3/00: Presentation on Zone project and restorative conferencing at the Lakeville Police Department by Anne McDiarmid and Stephanie Haider. As result, Dave Delmonico was named as coordinator of Family Group Conferencing. Anne offered training and facilitation to the police department for cases they feel are appropriate.
21. 3/2/00: Restorative Justice Summit at William Mitchell College of Law
22. 3/19-22/00: Juvenile Justice Conference sponsored by the National District Attorney's Association in Florida. Five CJZP staff and community members attended.
23. In April, 2000, "Facilitating Restorative Group Conferencing" was presented to new Dakota County Restorative Conferencing facilitators. This was the third MN field test of the curriculum developed by the MN Department of Corrections, with financial support from the National Institute of Corrections Technical Assistance Program.

24. Terrie Ten Eyck did a presentation on School-Based Restitution for the School Superintendents' Meeting at the Rosemount Technical College on May 10, 2000.
25. Terrie Ten Eyck and Stephanie Haider, DCCC, developed a 90-minute presentation called, "Community Justice: A Place for Victims" for delivery on June 1, 2000 at the Conference on Crime Victims.
26. School-based restitution training occurred on June 19 and June 20, 2000. Burnsville and Hastings worked together to offer conflict resolution training. Thirty-five people attended.
27. Restorative Justice and basic Circle training conducted by Mary Ticiu, School-Based Restorative Justice Planner, at the University of Minnesota in July (4 days), 2000.
28. Dakota County Police Chiefs Breakfast --1) Hosted by Community Corrections on September 14, 2000 at the Mendakota Country Club. All Dakota County Police Chiefs were invited to hear Dave Hines of the Woodbury Police Department and Ken Webster, retired officer from the Thames Valley Police in the U.K., present information on restorative justice and community policing.
29. VOMA's (Victim Offender Mediation Association) 17th Annual International Training Institute and Conference was held on September 12, 2000, at the Ridgedale Ramada Hotel in Minnetonka. A one-day basic level training was designed and delivered by Anne McDiarmid, Annie Roberts and Terrie Ten Eyck. The session title was "Community Justice Zone." Published as follows: "A pilot project, the Community Justice Zone, was created by grassroots community action, along with a vision to build communities that embrace principles, philosophy and practices of restorative justice. The Minnesota State Legislature and Dakota County Community Corrections are supporting plans in three cities to involve citizens more fully in crime prevention and intervention. The SSP School-Based RJ Planners also offered a workshop at the VOMA conference on "RJ and the Schools."
30. Training on the California Youth Authority Victim Impact Curriculum: Conducted on September 20 and 21st, 2000, in Farmington, to Dakota County staff, volunteers, schools and law enforcement. This is a program of experiential learning for young offenders designed to enhance their understanding of the impact of crime on victims, and accept responsibility for the crimes they have committed.
31. Burnsville and Hastings school officials attended a Restitution Facilitator training on September 30 and October 1, 2000, sponsored and facilitated by Chesholm Consultants, Saskatoon, SK. Another follow-up training is scheduled for November 4 & 5.



DOCUMENTATION OF SERVICES -2000
(Estimated)

Classes/Workshops/Presentations	240
Events (Field Trips/Recreational)	11
Support Groups	43
Mentoring Sessions	84
Vocational Training/Employment	5
Community Meetings	336
Restorative Activities in the Community	
Circles	344
Restorative Conferences	146
Forums	
Community Work Service	unknown
Total	<u>1209</u>
Total Volunteer Hours Contributed	4,664

DOCUMENTATION OF SERVICES -1999
(Estimated)

Classes/Workshops/Presentations	108
Community Meetings	164
Restorative Activities in the Community	
Circles	210
Restorative Conferences	106
Forums	2
Community Work Service	56

Total	646
 Total Volunteer Hours Contributed	 1,888

PARTIAL LIST OF MEDIA EVENTS AND ARTICLES

1. CJZP Coordinator, Terrie Ten Eyck, published a newsletter, an example of which is attached.
2. Project Manager, Anne McDiarmid, appeared on cable TV discussing the Zone project and restorative justice in general. A copy of this interview with Tricia Rettler, host of the show, is available upon request.
3. Chad Richardson, "Restorative Justice Council Forms to Improve Corrections," Hastings Star Gazette, April 1, 1999.
4. Jennifer McMenamin, "Restoring Hope," South Suburban edition of the St. Paul Pioneer Press, April 21, 1999.
5. Ann Warner Roberts distributed a video at the VOMA conference, produced by Dakota County Community Corrections, which contained a simulation of a restorative conference.
6. Several staff members and a family victim of a murdered child participated in a panel discussion at Mankato State University. Suzanne Tweeton discussed the Dakota County Community Corrections Restorative Conferencing Program. Ann Roberts discussed the state, national and international RJ scene. Most compelling, Beatta Schultz gave a "heart and soul" talk about her experience as a victim survivor.
7. DCCC publishes a bimonthly newsletter called "The Scoop," for the Restorative Conferencing facilitators, who are mostly volunteers. This newsletter is also shared with the Minnesota Restorative Services Coalition (MRSC) and excerpts may also appear in their future newsletters.
8. "Melting Icy Hearts: 'Grandma' Has a Way With the Stone-Faced, Silent and Steely Youths Serving Time in the Juvenile Services Center," St. Paul Pioneer Press, April 9, 2000.
9. Margaret Zack, "Appeals Court Limits Reach of Justice Program," Minneapolis Star Tribune, May 3, 2000, p. 3B.
10. Associated Press, "Court: 'Sentencing Circle' Must Operate Within Legal Parameters," St. Paul Pioneer Press, May 4, 2000, p. 7B.
11. Hannah Allam, "Juvenile Offenders Get First 'Jolt' of Program," St. Paul Pioneer Press, May 12, 2000.

12. Jean E. Greenwood, "Counterpoint: Restorative Justice for Edina Stampede," Minneapolis Star Tribune, June 24, 2000.
13. Pioneer press article by Amy Sherman on restorative conferencing.
14. Patricia Lopez Baden, "Shake-Up Defines New Roles for Crime Victim Councils," Minneapolis Star Tribune, January 6, 2000.
15. Hannah Allam, "County Tries 26% More Drug Cases in '99," Saint Paul Pioneer Press, January 21, 2000.
16. Michael Fletcher, "Crime Rate Falls in U.S., and No One is Sure Why," St. Paul Pioneer Press, January 23, 2000, pp. 1A and 11A.
17. James Walsh, "Restorative Justice Program in Minneapolis Showing Results," Minneapolis Star Tribune, February 16, 2000, pp. 1B and 3B.
18. Lori Carlson, "Peer Court: A Response to Juvenile Crime in County," Sun Current, February 23, 2000.
19. Laura Adelman, "Dakota County's Restorative Justice Program Receives Praise and Nays," Eagan This Week, February 26, 2000.
20. Hannah Allam, "New program to Speed Up Juveniles' Court Dates," St. Paul Pioneer Press, February 29, 2000, pp. 1B and 2B.
21. Leonard Inskip, "Restorative Justice Summit Shows Why Concept is On Rise," Minneapolis Star Tribune, March 7, 2000.
22. Lucy Quinlivan, "Officials Study Crackdown in Justice System for Juveniles," St. Paul Pioneer Press, March 12, 2000, pp. 1C and 11C.



COMMUNITY JUSTICE ZONES

Redefining the Relationship between Communities and the Justice System

Issue Two

July, 2000

*"I am not an advocate for frequent changes in laws and constitutions.
But laws and institutions must go hand in hand with
the progress of the human mind.
As that becomes more developed, more enlightened,
as new discoveries are made,
new truths are discovered and manners and opinions change.
With the change of circumstances,
institutions must advance also to keep pace with the times."
- Thomas Jefferson*

WHAT IS COMMUNITY JUSTICE?

For many of you reading this newsletter, the concepts of Community and/or Justice are familiar to you. Based on your training, experiences and values, and the professional role you play in the Community, you have a construct – a mental map – of how you would define either of these concepts.

Prior to serving on the Community Corrections Advisory Board, I never put any thought into defining either Community or Justice. I believe this might be true for many people. However, since I assumed the role of Community Justice Zones Coordinator, I have been a part of several conversations in which individual definitions have either been challenged and/or supported.

What I perceive to be the dividing factor is the degree of understanding and value given to the principles and application of Restorative Justice as opposed to those of Retributive Justice. Truly, a continuum exists among people on this project and across each of the zones.

I believe that one of the greatest outcomes of this project could be the cultural movement of a Community (Dakota County) toward a greater understanding of each other's perspectives on what it means to be Community, and how Community can bring Justice in ways we might not have considered before. Yet, the movement is slow and resistance is high.

If we could fully appreciate and exercise Stephen Covey's 5th effective habit, "Seek First to Understand Before Being Understood", we could listen in a manner that would allow us to clearly hear each other's perspectives without blocking them with our own filters. The gift of clarity without judgment would allow for movement not possible otherwise. It is this shadow of judgment that we're not often conscious of yet it denies us the ability to objectively view reality.

In the mechanistic, Newtonian worldview, we tend to perceive our selves and our goals as separate and different from others; therefore, we resist movement. We get caught up in judgment thinking of right or wrong and good or bad. We fiercely protect our positions in order to "win". We seem to have advanced so far scientifically, technologically, and medically, but we still haven't figured out how to share power with each other. And, *ideas are power*. In the mechanistic view, if my idea must "win", yours must necessarily "lose". This *either/or* thinking is one factor that drives crime and separates communities.

In the new organic worldview of quantum physics, all experience is connected through the power of relationships. Movement in one area necessarily creates movement in every other area. We move from the need for control and predictability to a mindset that accepts influence and probabilities as the true nature of reality. We develop *both/and* thinking instead, which allows for rich and productive dialogue that has a greater chance of influencing the greater good.

No matter how "Gandhi" our missions are, we can get caught up in rigid thinking that keeps our deepest fears alive. In her book, *A Return to Love*, Marianne Williamson says, "Our deepest fear is not that we are inadequate; our deepest fear is that we are powerful beyond measure." Nelson Mandela used this in his inaugural speech as he spoke about community. Only when we can share the fullest potential of our power with others can we truly define the service of Justice *through* Community. It is only when we finally realize our position and power plays are non-productive that we realize we are all after the same goal...the enforcement of the law, the safety of the public, the upholding of what is just, and the healing of each human being in community.

*"Crazy Horse dreamed and went into the world where
there is nothing but the spirits of all things.*

*That is the real world that is behind this one,
and everything we see here is
something like a shadow from that world."*

- Black Elk

PROGRESS UPDATE



Recognizing the Warriors

- Congratulations are in order to Mary Theisen! Governor Ventura appointed her to the bench in Scott County and her work with the Dakota County Attorney's office and the Zone project will end soon. Mary takes the bench August 17.
- Thanks to Marilyn Morgan of Burnsville for her dedicated efforts enrolling school administrators and principals in the School Based Restitution Training held June 19th and 20th at the Burnsville City Hall.
- Thanks to Burnsville School community members Sharon Menanen, Ginny Dahlstrom, and Carol Ellison for all of their help with setting up the Restitution training room, making coffee, etc.!
- Thanks to Mark Zuzek for his dedicated efforts enrolling Hastings School community members in the School Based Restitution training on June 19th and 20th. This joint effort between Hastings and Burnsville was a great success!!
- Thanks to Northfield Superintendent of Schools - - for enrolling three of his Principals in the Restitution Training!
- Congratulations to the persistence of those involved in the difficult and thoughtful discussions that have continued between the South Saint Paul Restorative Justice Council and the County Attorney's Office regarding partnership guidelines.
- Welcome Jeanette Halstead! Jeanette will be serving as the Staff Assistant to the project through the remainder of the grant. She can be reached at (651) 688 – 3575.





Recognizing the Warriors (continued...)

- Welcome to Teri Bowar, the new Burnsville Police Department employee who will be processing the Operation J.O.L.T. cases. Once Teri gets up to speed, the plan is to include felony cases in this process.
- Congratulations to the Operation J.O.L.T. team headed by Judge Tim McManus and their successful launch of the JOLT project.
- Welcome to Elizabeth Gillmer who joins the Hastings Police Department as a Victim Services Specialist. Elizabeth's primary responsibilities involve providing direct services to victims of crime including victim impact statement, providing information, offering referrals, resources, etc.



CALLING ALL COMMUNITY...

Since the Burnsville Community Justice Zone team disbanded in order to work on the Operation J.O.L.T. project and the School-Based Restitution training, several team members have called wondering about how they might continue to be involved in community work related to the Zone project.

Beginning in August, we will be forming a community-based group to conduct a dialogue about community involvement in Burnsville.

If you are interested in attending, please call Jeanette Halstead to put your name on the mailing list for information pertaining to this work. Jeanette can be reached at (651) 688 – 3575.

WHAT'S GOING ON???

Burnsville

- The first phase of Restitution Training was completed June 19th & 20th.
- Operation J.O.L.T. continues to hear juvenile cases in the Apple Valley court rooms every other Thursday. The goal is to move to felony level cases in the next month or two.
- A community group will be formed in September.

Hastings

- The Hastings Restorative Justice Council finalized their mission statement at their meeting in July. It reads as follows:

The mission of the Hastings Restorative Justice Council is to assist our community in repairing harm. We will accomplish this through a comprehensive and supportive partnership working toward healing, accountability, and a safe and inclusive community.

- The Victim Services Specialist part-time position has been filled. Elizabeth Gillmer began her work with the Hastings Police Department in late June.
- The HRJC will continue work on the Action Plan to define the future work and leadership of the Restorative Justice Council.

South Saint Paul

- The So. St. Paul Restorative Justice Council reached consensus on developing a partnership and working with the guidelines offered by the County Attorney's office. More details about this decision will appear in the next newsletter.
- See the attached Summary of SSPRJJC's first 36 circle cases.
- Members of the SSPRJJC have visited arraignment court in order to pursue the opportunity of taking cases in "real time".

South Saint Paul (continued)...

- The council is working to standardize the application for cases. John Lamski submitted a draft application at the last meeting and community members reached consensus on it during the meeting.

In addition to the above information, the County Attorney's office will be assigning both an adult and juvenile prosecutor to work with each of the communities for the duration of the Justice Zone grant. This change is a result of Mary Theisen having been appointed as Judge of District Court, State of Minnesota First Judicial District in Scott County.

If you have *any* questions, concerns or needs throughout this project, please feel free to contact me at (651) 688 - 3575. Please allow 24 hours for a return call.

October Issue planned topics:

School Based Restitution Results

County Attorney's Office: Prosecutor Appointments
To Zone Project

Juvenile Justice

This newsletter is produced and published by: Terrie Ten Eyck, Community Justice Zone Coordinator. To submit information or article ideas for future newsletters, please call me at (651) 688 - 3575 or fax to (651) 688 - 3510. My e-mail address is: terrie@fearless-leadership.com

SURVEY INSTRUMENTS:

FOCUS GROUPS

&

INDIVIDUAL INTERVIEWS

QUESTIONS FOR COMMUNITY JUSTICE ZONE INTERVIEWS AND FOCUS GROUPS

Intro

Facilitator: We are here today to get a sense of your experiences with the other players in Dakota County's justice system. You probably know that *Community Justice* is an idea being widely embraced as a way to allow offenders to do right by the community and the victim as a precursor to moving back into full community participation. It borrows a lot from the old community organizing movement, more recent criminal justice research, and from some ancient ideas about community life. The idea is that when an offender commits a crime, he or she harms the immediate victim, and also the community. The offender needs to be accountable, and needs to repair harm done to the victim and the community. *Community Justice* is the skeleton – it provides the basic structure. But it doesn't mean much without the muscles and connective tissue. In Dakota County the muscles and connective tissue – *Community Justice Zone* -- is about to be tested in three communities (Burnsville, Hastings, and South St. Paul). *Community Justice Zones* include a range of programs and activities that you are probably involved with: community forums, community prosecution, community notification and integration of offenders, sentencing circles and family group conferencing, school-based probation. There are other examples.

I mentioned that we want to get a sense of your experiences with other justice system players. We want to be sure we have a baseline of how the system works *before* CJZs come into play because we expect that the CJZs will result in changes. We want to be able to compare how you say things work now to how you say things work after CJZs. We are also talking to schools, county attorney, public defenders, probation officers, community groups, judges – all with this same purpose in mind. Does that make sense?

This is a pretty informal thing. I'm going to ask the group a series of questions, and the group can discuss them. Just a couple things to note, though:

- 1) Let's just have one person speak at a time;
- 2) I might cut you off not because your comments aren't important or interesting, but in the interest of time;
- 3) There are no right or wrong answers, so don't worry about that;
- 4) Your comments today may be used, may even be directly quoted, but nothing will be attributed to you. In other words, no one outside of this room will know what you said.

I think that covers it. Any questions before we start?

Warm up question

- Tell us about your first encounter with justice.

Focus group questions

A. Knowledge and attitudes about *Community Justice*

1. When I use the term *Community Justice*, what comes to mind? Why do you think we are here talking about *Community Justice*?
2. As I mentioned earlier, one of the central tenets to *Community Justice* is that there are at least two victims in a crime: the person directly affected, and the community. Then there is the offender. I want to talk about each of these in turn related to *Community Justice*.
 - a. First let's talk about the offenders. Do you think that offenders must repair harm to the victim and the community? Why? How? To what extent do you think this happens in the system now?
 - b. Now let's turn to the victim and the community. Do you think they should be involved in sanctioning the offender? Why? How? To what extent do you think this happens in the system now?

Refer to flip chart page 1 for Likert Scale

Let's look at this flip chart. I'm going to have the group look at some statements, then find out if you can come to a group consensus on the extent to which you agree or disagree on each one.

On a scale of 1-5, from Strongly Disagree (1) to Strongly Agree (5), consider the following statements:

Refer to flip chart page 2 for statements

- Victims should have input into fact-finding, adjudication and sanctioning decisions;
- Victims should have input into diversion decisions;
- Victims should have input into treatment/rehabilitation programs;
- Victims should have input into release decisions from supervision or custody.

B. Description and experience with current system

1. You work on issues of justice. How would you characterize your role in the justice system as it stands now? What do you think your role should be? When you think about how the system operates, what tells you whether it is working or not working?

Refer to flip chart p 3 for Likert Scale

2. Let's turn to the flip chart again. I'm interested in your relationships with some of the other players in the justice system. We will use the Likert Scale again with a slight modification: 1=Unproductive, 5=Very Productive

Refer to flip chart p 4 for list of other players in system

- Others in your position
- Judges
- Prosecutors
- Police
- Victim Advocates
- Probation Officers
- Public Defenders
- Schools

Probe: Why do you characterize the relationship that way?

Refer to flip chart p 5 for Likert

3. One more flip chart question. Using the Likert Scale, with 1= Strongly Disagree, and 5=Strongly Agree, consider the following statement:

Refer to flip chart p 6 for question

Understanding that their offenses cause harm to others is the most important factor in helping offenders to turn away from further involvement in delinquency and crime. (Probe: What about repairing the harm? What does that mean to you?)

Thanks for your time.

Case Story

This case involved a felony Arson. It was a very serious crime in which a 15-year old juvenile set fire to a playground out of boredom. The extent of the damage was considerable and costly (\$30,000). The playground was a favorite place for neighborhood children to play and was also a historic place well known to the community (including myself).

The victim was personally offended by the fire and felt strongly that it was an offense against the community. She was unsure if she wanted to fix the playground due to the threat of repeated vandalism. Many users of the park were now complaining about the appearance. Although the victim spent time and money cleaning the park, all of the damaged playground equipment needed to be replaced. Also, astro-turf was slightly damaged and needed to be completely replaced or converted from a play area as it was now a tripping hazard that the victim could not afford to have.

During the pre-meeting, the victim was very considerate and wanted to do what was in the best interest of the young offender. The offender appeared remorseful. The offender's family was shocked that the damage was so costly. The offender's parents also thought it would be a good idea for him to step out during the conference. The offender said that he would like to work off restitution by working for the victim at her business if that was agreeable to her. I made sure that the offender would feel comfortable working in an environment where some people might know that he set the fire. He said that many people at the business already knew that.

I asked the program director's thoughts on having the offender work for the victim. She thought that it would be OK, but that there needed to be a back up plan so as not to revictimize the victim if the offender did not follow through.

The meeting went smoothly. The victim brought pictures and asked if the offender had gone back to the park after the fire. He said that he had. The victim explained why the damage was so costly. She asked the offender what would make it so that kids would not trespass at the park after close. The offender suggested she put signs at the entrance and along a back fence of the park to discourage trespassing. The offender's parent rejoined the meeting and was given an opportunity to speak.

The offender and victim agreed upon the amount of \$700 for restitution. This amount included the victim's insurance deductible and labor and supplies to clean the park well enough to reopen it. The victim agreed to get the offender an interview at her business. He would have to prove himself during the interview. The victim and offender agreed that if employment did not work out for any reason, the offender would contact his probation officer to arrange for community work service with community corrections. The victim also asked the offender to post "No Trespassing" signs in the key locations they had discussed.



WHAT IS RESTORATIVE JUSTICE?

by Dr. Mark Umbreit



What is Restorative Justice?

Restorative justice is a victim-centered response to crime that provides opportunities for those most directly affected by crime - the victim, the offender, their families, and representatives of the community - to be directly involved in responding to the harm caused by the crime. Restorative justice is based upon values which emphasize the importance of providing opportunities for more active involvement in the process of: offering support and assistance to crime victims; holding offenders directly accountable to the people and communities they have violated; restoring the emotional and material losses of victims (to the degree possible); providing a range of opportunities for dialogue and problem solving among interested crime victims, offenders, families, and other support persons; offering offenders opportunities for competency development and reintegration into productive community life; and strengthening public safety through community building.

Restorative justice policies and programs are known to be developing in more than 45 states, including a growing number of state and county justice systems that are undergoing major systemic change. Restorative justice is also developing in many other parts of the world, including numerous European countries, Australia, New Zealand, and South Africa. The principles of restorative justice draw upon the wisdom of many indigenous cultures from throughout the world, most notably Native American culture within the United States and Aboriginal/First Nation culture in Canada.

Specific examples of restorative justice include: crime repair crews, victim intervention programs, family group conferencing, victim offender mediation and dialogue, peacemaking circles, victim panels that speak to offenders, sentencing circles, community reparative boards before which offenders appear, offender competency development programs, victim empathy classes for offenders, victim directed and citizen involved community service by the offender, community-based support groups for crime victims, and, community-based support groups for offenders. As the oldest and most widely developed expression of restorative justice, with more than 25 years of experience and numerous studies in North America and Europe, victim offender mediation and dialogue programs currently work with thousands of cases annually through more than 300 programs throughout the United States and more than 900 in Europe.

Research has found restorative justice programs to have high levels of victim and offender satisfaction with the process and outcome, greater likelihood of successful restitution completion by the offender, reduced fear among victims, and reduced frequency and severity of further criminal behavior.

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Restorative Justice Signposts

We are working toward restorative justice when we

- I. ...focus on the harms of wrongdoing more than the rules that have been broken,
- II. ...show equal concern and commitment to victims and offenders, involving both in the process of justice,
- III. ...work toward the restoration of victims, empowering them and responding to their needs as they see them,
- IV. ...support offenders while encouraging them to understand, accept and carry out their obligations,
- V. ...recognize that while obligations may be difficult for offenders, they should not be intended as harms and they must be achievable,
- VI. ...provide opportunities for dialogue, direct Or indirect, between victims and offenders as appropriate,
- VII. ...involve and empower the affected community through the justice process, and increase their capacity to recognize and respond to community bases of crime.
- VIII. ...encourage collaboration and reintegration rather than coercion and isolation
- IX. ...give attention to the unintended consequences of our actions and programs,
- X. ...show respect to all parties including victims, offenders, justice colleagues.

Crime wounds...Justice heals

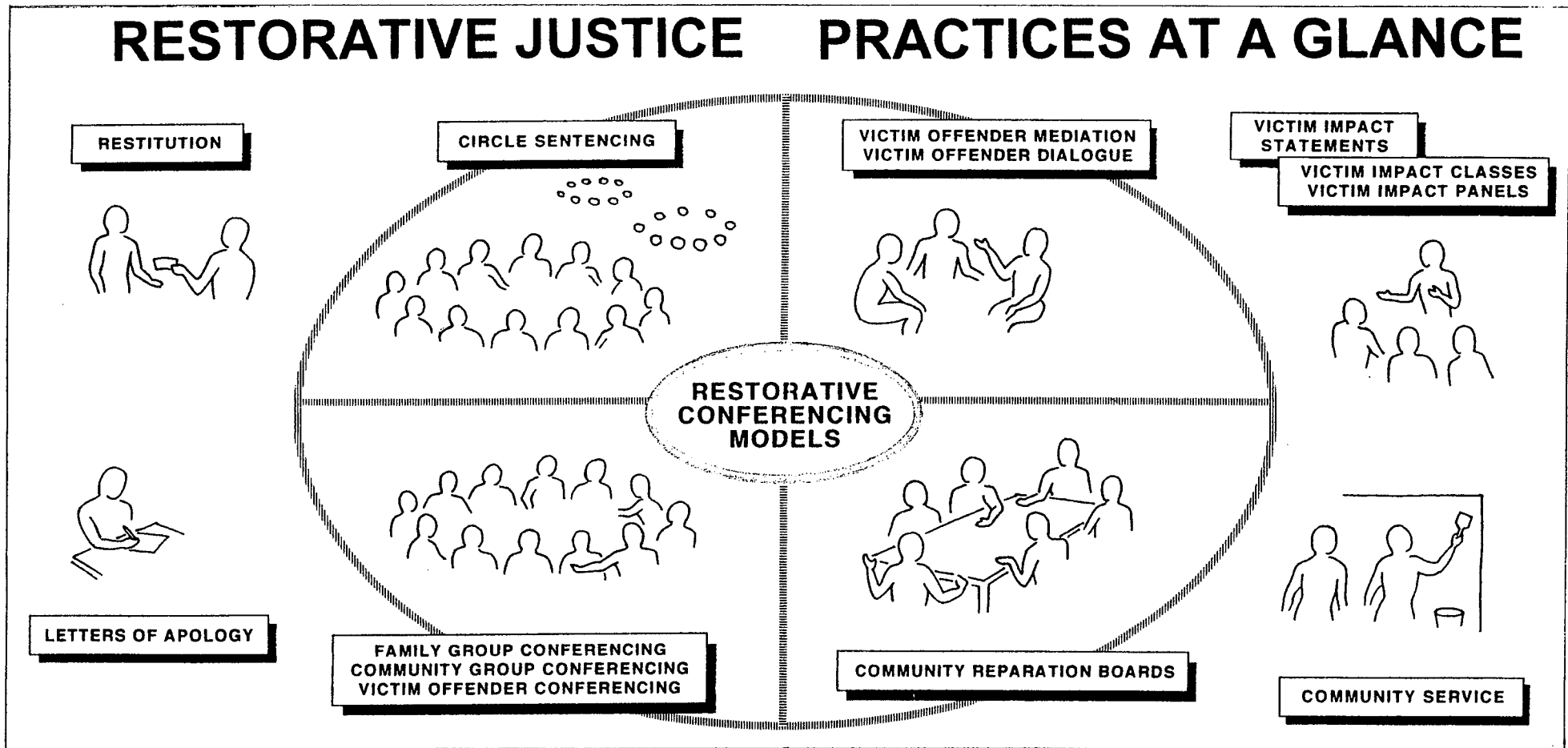
Harry Mika and Howard Zehr 5/8/97

RESTORATIVE JUSTICE PRACTICES

AT A GLANCE



RESTORATIVE JUSTICE PRACTICES AT A GLANCE



This graphic shows a range of restorative justice practices currently used in the United States. Names and characteristics of practices continue to evolve as agencies and communities experiment; this graphic should be seen as a 'snapshot' of practices at the beginning of the new millennium.

Those practices inside the central oval are sometimes known as Restorative Conferencing models. They bring together those directly involved in a particular crime or wrongdoing, to generate a dialogue which addresses the impact of the crime and explores possibilities for repairing the harm.

Those practices outside the oval are other events or actions that can also play a role in restorative justice. In many cases, they are outcomes prescribed for offenders by one of the Conferencing practices (eg, Restitution, Letters of Apology, Community Service).

The Conferencing models generally include victims, offenders, and community members. Exceptions are victim-offender mediation, which does not typically include community members, and reparation boards, which include victims only on a limited basis.

Each Conferencing model has a person who guides the process: Sentencing Circles have 'keepers'; Group

Conferences, 'facilitators'; Mediation, 'mediators'; and Reparation Boards, chairpersons. These are similar roles with variations in the method for managing the dialogue. Keepers typically pass a 'talking stick', while others guide the dialogue more directly, sometimes working from a script (as in Group Conferencing).

Sentencing Circles and Group Conferences look similar, but have some significant differences. In addition to managing the dialogue differently, Sentencing Circles typically include members of the criminal justice system (judges, prosecutors, defense attorneys). The process may also involve separate,

preliminary 'healing' circles for victims and offenders. Group Conferences have not usually included members of the criminal justice system (though in some areas police officers act as facilitators). The Community version of Group Conferencing evolved from the Family version, as a way to give community members a more explicit role in the process.

Group Conferences and Circles often include support persons for victims and offenders: parents, family members, friends. All of the Restorative Conferencing processes may result in agreements which the offender is required to fulfill for satisfactory resolution.



SYSTEM STAKEHOLDER INTERVIEW PROTOCOL -- Community Justice

Zone: Dakota County Community Corrections -- December 1999

1) What is your personal vision for the Community Justice Zone Project [CJZP] initiative?

2) How do you think your vision may be different from that of others involved in this collaboration?

Community Building

One of the primary goals of the CJZP initiative is building stronger communities that are more capable of preventing and controlling crime. As stated in the proposal, "the ultimate goal is to build communities so crime doesn't occur, and when it does, communities will have the strength and structure to effectively respond. This response is for the purpose of: supporting the victim; holding the offender accountable; providing boundaries, messages of expectations, and resources."

3) What do you think about this "community building" goal?

4) Have any of these ideas changed your personal views or vision for community justice? If so, how?

5) In general, how strong are the pilot communities already on the above dimensions?

5a) Burnsville --

5b) Hastings --

5c) So St Paul --

6) Could you rate each community on a scale of 1-7 where 7 is "very strong" in the current community response to crime?

6a) Burnsville --

6b) Hastings --

6c) So St Paul --

7) What current resources or programs are in place that in your view are helping to build a stronger community response to crime?

7a) Burnsville --

7b) Hastings --

7c) So St Paul --

8) In general, who or what is the "community" for purposes of community justice in each zone?

9) What strategies should be used to increase the communities' capacity to respond to crime? What steps should be taken first?

10) How should we gage our success in achieving the goals of this initiative? That is, how would we know improvements in a community's capacity to address crime when we see it?

11) What is the role of [depending on the particular professional in question, pick one: prosecutors, judges] in accomplishing the goals of this initiative?

Restorative Community Justice

The current project is guided by a core set of principles that come from the philosophy and practice of restorative justice.

Principle I: Repair- The first principle is that crime is more than simply lawbreaking and is important because it causes harm to individuals and communities. Justice should therefore focus on repairing the harm.

12) What do you think about this idea?

12a) Could you rate your level of agreement with this idea on a scale of 1-7 where 7 is "strongly agree"?

13) What does repair mean? What would repair look like for the victim, the offender and the community?

Victim --

Offender --

Community --

13a) Could you rate your understanding of this idea on a scale of 1-7 where 7 is "very clear understanding"?

14) What does accountability mean based on this principle? How would we achieve it?

Principle II: Involvement- The second principle says that if we are going to repair the harm, we must involve those stakeholders most directly hurt by criminal behavior: the victim, the offender, the families and supporters of both, and affected communities as early and as often as possible in the process.

15) What do you think about this idea?

15a) Could you rate your understanding of this idea on a scale of 1-7 where 7 is "very clear understanding"?

16b) Could you rate your level of agreement with this idea on a scale of 1-7 where 7 is "strongly agree"?

16) What is the role of the victim in the justice process? the offender? the community?

Victim --

Offender --

Community --

17) How involved should victims, community members and offenders and their families be in decisionmaking about sentencing or sanctions?

Victims --

Offenders --

Communities --

17a) Could you rate your view of the level of involvement victims should have on a scale of 1-7 where 7 is "very involved"?

17b) Could you rate your view of the level of involvement offenders and their families should have on a scale of 1-7 where 7 is "very involved"?

17c) Could you rate your view of the level of involvement community members should have on a scale of 1-7 where 7 is "very involved"?

18) What should involvement look like at various points in the process? How specifically would victim, offender and the community be included in decisionmaking?

Victim --

Offender --

Community --

Principle III: Changing the relationship between community and government in the response to crime- This principle is essentially about rethinking the role of the criminal justice system and community in the response to crime. It suggests that the community needs to play a more prominent role as the first line of defense against crime, with the government in a facilitative and monitoring role.

19) What do you think about this idea?

19a) Could you rate your understanding of this idea on a scale of 1-7 where 7 is "very clear understanding"?

19b) Could you rate your level of agreement with this idea on a scale of 1-7 where 7 is "strongly agree"?

20) How might the role of [prosecutors, judges] change if we were trying to strengthen the community's ability to respond to crime? to repair harm?

21) What aspects of the justice process fall outside the realm of the community and must be accomplished only by the criminal justice system?

22) Are there specific problems and behaviors the community should address in its initial efforts? If so, what behaviors and problems should be addressed?

23) What role does the formal system play in monitoring the activities of the community in community justice? How will/should system professionals educate the community about its role?

Date: **Duration:**

Interviewer:

Interviewee:

position:

address:

tel:

fax:

e-mail: